

PLANNING COMMITTEE REPORT
ADDENDUM

Development Management Service
 Planning and Development Division
 Community Wealth Building Department

PLANNING COMMITTEE		AGENDA ITEM NO:	
Date:	7 th June 2022	NON-EXEMPT	

Application number	P2019/2651/FUL
Application type	Full Planning Application
Ward	St Marys
Listed building	Adjacent to Grade II Listed Building (no. 36 Islington Park Street) to west
Conservation area	Barnsbury Conservation Area
Development Plan Context	Locally Listed Building (no. 44 Islington Park Street) Within 50m of the Upper Street (North) Conservation Area (to east) Within 100m of TLRN (Transport for London Road Network) (Upper Street) Local cycle routes Article 4 Direction (Barnsbury Conservation Area) Article 4 Direction A1-A2 (Town Centres)
Licensing Implications	None
Site Address	Hostel and Premises, 38-44 Islington Park Street London N1 1PX
Proposal	Change of use of existing HMO (House of Multiple Occupation) to allow for the creation of 7 no. self-contained residential units (3 no. 1-bed flats, 1 no. 2 bed flats, 2 no. 3 bed houses and 1 no. 5 bed house). Excavation at lower ground floor level to increase the floor to ceiling heights and enlarge existing rear lightwells. Alterations to front and rear elevations including instalation of metal railings, new access gates and proposed landscaping, refuse and cycle parking provision, and other associated works.

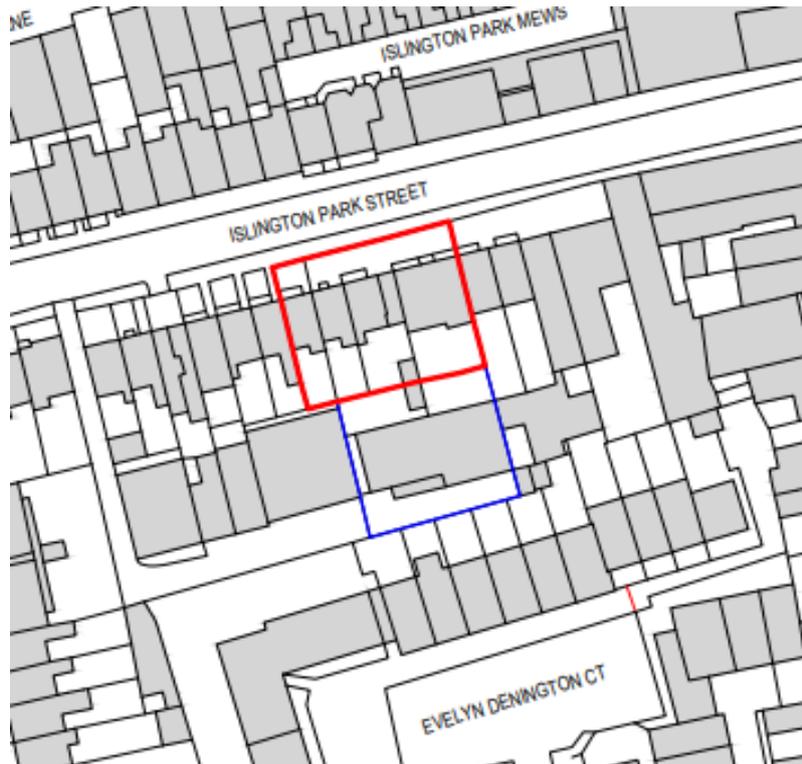
Case Officer	Mr Daniel Jeffries
Applicant	One Housing Group - Mr Parry
Agent	Davies Murch – Mr Jonathan Murch

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission:

1. Subject to the conditions set out in Appendix 1;
2. Conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1;

2. SITE PLAN (site outlined in red)



3. REASONS FOR REFERRAL TO COMMITTEE

- 3.1 This application was previously presented to the Planning Committee meeting on 23rd April 2020 (see original Committee Report at Appendix 3) where Members resolved that planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the Committee Report.
- 3.2 The agreed minutes for the meeting confirmed that in the discussion the following points were made:
 - The Planning Officer informed members of the following updates – Floor plans PL11-PL14 (proposed lower level ground to proposed second level floor plan) in condition 2 of the Committee report need to be amended to Rev. P2. These revisions were submitted during the course of the application to demonstrate a soft spot in the proposed dwelling where a floor lift could be located had been changed to the installation of a lift and to address inclusive Design Officer comments.
 - In addition, the Planning Officer highlighted changes to the Heads of Terms – Correcting recommendation (a) – Requiring the 7 no.units to be for social rented housing including the requirement for the nomination rights for the 'Move On' units

to return to Islington in accordance with local authority lettings policy should the GLA 'Move On' scheme cease to exist.

- The Planning Officer advised the meeting that the site is not within an Employment Growth Area, Employment designated area or within the Central Activities Zone.
- Members were reminded that the loss of the existing vacant HMO is considered acceptable having consulted the Council's Environmental Health Team who manage and license HMO's within the Borough. The team had assessed the existing accommodation as not of good quality.
- Members were advised that the Council's Housing Team had not objected to the loss of HMO and welcomes the change of use as the proposal would deliver affordable homes which is one of the Council's key objectives identified in Part G of Policy CS12 of Islington's Core Strategy Policies (2011).
- The Planning Officer acknowledged that excavation works is to be carried out in the basement and is considered acceptable in design terms, and that the proposed works are compliant with the Council's Basement SPD in regards to its structural impact. The Building Control Officer had reviewed the application and raised no objections to the excavation works from a structural perspective.
- A member of the public stated that whilst he supported the proposal and had a good relationship with One Housing Group who had been supportive in discussions with him, he did have concerns over the excavation works to the basement, which according to a structural engineers report could cause cracking and problems to his property. He requested for a waiver especially on this issue. (Following questions from the committee the objector clarified that his use of the term 'waiver' was intended to mean that he was requesting that the committee agree to omit the basement excavations from the application.)
- In response to the objectors concerns, the applicant stated that a structural engineers report had been submitted with the application. The Planning Officer acknowledged no works would commence until a structural report had been submitted and were issues to arise in the future this would be addressed through Party Wall agreement. Meeting was informed that a structural engineer would be engaged on site to assess any problems. The Chair stated that in addition if the applicant wished to engage his own structural engineer then the applicant would be liable for the cost of this under the Party Wall Act.
- Members welcomed and supported the scheme considering that the building that had been abandoned for quite a while and importantly the addition of the new social rented housing units.

3.3 Since the date of this meeting further neighbour consultation responses have been received raising a number of concerns with the proposal, including the request for a revised Site Location Plan and the proposed ground floor plan showing alterations to the position of the proposed refuse and cycle storage, which has been submitted and further consultation carried.

4. BRIEF SUMMARY OF PROPOSAL

4.1 The application seeks permission for the change of use of the existing HMO (House of Multiple Occupation) to allow for the creation of 7 no. self-contained residential units (3 no. 1-bed flats, 1 no. 2 bed flats, 2 no. 3 bed houses and 1 no. 5 bed house). The proposal also includes excavation at lower ground floor level to allow for the increase in the floor to ceiling heights and enlarge existing rear lightwells. The proposal would also include alterations to front and rear elevations including installation of metal railings, new access gates and proposed landscaping, refuse and cycle parking provision, and other associated works.

5 UPDATES FOLLOWING COMMITTEE ON 23RD APRIL 2020

Policy Updates

- 5.1 The National Planning Policy Framework 2021 was revised on 20 July 2021. The London Plan 2021 was also formally adopted on 02 March 2021. Therefore, the local development plan comprises of the London Plan 2021, the Islington Core Strategy 2011 and the Islington Development Management Policies 2013.
- 5.2 The relevant policies from the recently adopted London Plan 2021 in respect to this application are listed below:
- Policy GC5- Policy D1 London's form, character and capacity for growth
 - Policy D4 Delivering good design
 - Policy D5 Inclusive Design
 - Policy D6 Housing quality and standards
 - Policy D7 Accessible housing
 - Policy D8 Public realm
 - Policy D12 Fire safety
 - Policy D13 Agent of change
 - Policy D14 Noise
 - Policy H2 Small sites
 - Policy H4 Delivering affordable housing
 - Policy HC1 Heritage conservation and growth
 - Policy T5 Cycling
 - Policy T6 Car parking

Islington Local Plan Examination in Public (2019)

- 5.3 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submission to the Secretary of State for Independent Examination. From 5 September 2019 to 18 October 2019, the Council consulted on the Regulation Draft of the new Local Plan. Submission took place on 12 February 2020. As part of the examination consultation on pre-hearing modifications took place between 19 March and 9 May 2021. The Matters and Issues have now been published and hearings took place from 13 September to 5 October.
- 5.4 In Line with the NPPF Local Planning Authorities may give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 5.5 Emerging policies relevant to this application are set out below:
- Policy PLAN1: Site appraisal, design principles and process
 - Policy H2 New and existing conventional housing
 - Policy H4 Delivering high quality housing
 - Policy H5 Private outdoor space

- Policy H10 Houses in Multiple Occupation
- Policy G4 Biodiversity, landscaping design and trees
- Policy S1 Delivering Sustainable Design
- Policy T3 Car free development
- Policy DH2: Heritage assets
- Policy DH4 Basement development

5.6 Whilst the changes to policy are a material consideration, these are such that the amended/updated policy would not impact the assessment of this application as detailed in the Committee Report and the deliberations of the Planning Committee.

6. CONSULTATION

Public Consultation

- 6.1 As detailed in the previous Committee Report letters were originally sent to occupants of adjoining and nearby properties on 9th September 2019, and Site and Press Adverts were also displayed. The consultation period expired on 6th October 2019. However, the Council accepts representations up until the determination of the application.
- 6.2 At the time of the writing of the report presented at the 23rd April 2020 Planning Committee, a total of 3no. objections/comments were received. The letters of representation raised the following summarised concerns and comments (these were addressed in the previous Committee Report with relevant paragraph references for responses provided at paragraph 8.2 of the Report at Appendix 3).
- Concerns in relation to the excavation at basement level, including lowering floor level and extension of rear lightwells, would have a detrimental impact on the adjacent Listed Building
 - Supportive of reinstatement of metal railings but requests that the details are secured by condition
 - Concerns regarding security with the rear bin alley with bike sheds created
 - Requests that the paintwork to the front elevation is removed
 - Requests historically accurate colours are used in the frontage, including windows and doors
 - Requests that front gardens are not used for parking
- 6.3 Since the previous Planning Committee, a representation has been received raising a number of concerns with the development and Members' resolution to grant planning permission.
- 6.4 One of the concerns raised regarded the inaccuracy of the submitted Site Location Plan, which omitted part of the relevant application site. The applicant subsequently submitted a revised Site Plan together with a series of revised drawings relating to the cycle and refuse storage locations. Following this, notification letters were sent to occupants of adjoining and nearby properties on 30th November 2021, 10th March 2022 and 10th April 2022. The public consultation of the application expired on 24th April 2022, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 6.5 At the time of the writing this report and since the original Planning Committee, six additional representations raising objection have been received from the public with regard to the application. The issues raised can be summarised as follows:

Design and Conservation

- Raised concern regarding original assessment in terms of the impact on visual appearance and historic character of the host building and Barnsbury Conservation Area
- Concern that the assessment failed to take into consideration the Inspectors comments on an appeal at no. 8 Purley Place
- Lack of details to front gardens (including railings, bin storage, hard and soft landscaping) and concerns that the bin stores to the front gardens would subsume front railings
- Concerns in relation to the visual appearance of refuse and cycle storage to the front and rear gardens including loss of usable space for future occupiers
- Concerns about the size of the rear lightwells
- Requests that external lighting to the front elevation be removed
- Concerns about the lack of written comments from the Council's Design and Conservation Officer
- Security concerns
(Paragraphs 7.5 to 7.37)

Amenity Impacts

- Concerns in relation to use of rear gardens and alleyway for refuse/cycle storage (including increased noise and disturbance, loss of privacy, anti-social behaviour, safety and security for existing and future occupiers)
- Noise Pollution to surrounding properties and lack of noise report to assess impacts
(Paragraphs 7.38 to 7.48)

Standard of Accommodation and Accessibility

- Concerns about the lack of fully accessible accommodation
- Concerns about the quality of the private amenity space to front gardens
(Paragraphs 7.49 to 7.65)

Highways

- Concerns that the Highways comments were not followed in respect of cycle storage
(Paragraphs 7.66 to 7.75)

Other Matters

- Drawings incorrect (including the Site Location Plan and 7 Purley Place not being shown on drawings)
- Failure to serve notice on neighbouring properties
- Inaccurate declaration on application form (in relation to creation of public right of way)
- Tenure blind design (proposal assessed differently due to being affordable housing)
- Party Wall issues and damp associated by basement excavation
- Unauthorised works
(Paragraphs 7.79 to 7.87)

Internal consultees

- 6.6 **Council's Highways Team:** provided further comments and confirmed that they had no objections and that the site has excellent public transport provision. Requested that the site be car-free, including no vehicle parking to front gardens, and restriction of parking permits secured by legal agreement. Requested conditions to secure cycle storage and detail of front boundaries and a Construction Management Plan.

7. ASSESSMENT

Land Use

- 7.2 The original assessment of the proposal concluded that *the loss of the existing HMO, is considered acceptable, subject to the proposed development providing accommodation to meet an acute need identified by the council's housing department, given the Council's Environment Health Team considers that the majority of the host building is inhabitable and cannot be described as a good quality HMO.*
- 7.3 Also that *whilst the acceptability of the proposal, in terms of the housing mix, the standard of accommodation, the design, the amenity impact on neighbouring properties, amongst other material considerations, is assessed later within this report, the proposal is considered to be acceptable in land use terms, and compliant with the relevant policies in the Development Plan.*
- 7.4 The original assessment was made against the current local policies in the Islington Core Strategy (2011) and Development Management Policies (2013). The main policy changes relate to the adoption of the National Planning Policy Framework (2021) and London Plan (2021), which are considered to be consistent with the local policies. The original assessment that the proposal is acceptable in land use terms remains.

Design and Conservation

- 7.5 The Committee Report presented to Members of the Planning Committee (on 23rd April 2020 detailed at Appendix 3) concluded (para. 10.40) *that subject to the recommended conditions, the proposal would be in keeping with the visual appearance and historic character of the area. In line with Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the Barnsbury Conservation Area, its setting and any of its features of special architectural or historic interest, and the setting of the Grade II Listed Building (no. 36 Islington Park Street) and is considered acceptable in design terms.*
- 7.6 Representations have been received which consider that the original design assessment set out in the Committee Report does not meet the statutory test of preserving the visual appearance and historic character of the heritage assets. A detailed assessment, in accordance with the relevant statutory tests can be found within paragraphs 10.17 to 10.54 of the original Committee Report, which assessed the proposal as being acceptable in design terms.
- 7.7 The representations received also considered that the Council did not take into consideration the assessment by the Inspector within their report for the dismissed appeal decisions associated with developments at 8 Purley Place, located to the south of the site, that took place in 2009 (P081931). The appeals / applications that have been referenced are as follows:
- P081931: Demolition of existing building and construction of a part two storey part three storey residential care building comprising 9 x 1 bedroom residential units including ancillary facilities, amenity space and cycle parking.
 - P061614: Remodelling of existing two storey building incorporating small bay extensions and additional third floor with shallow pitched roof, to provide ten supported self-contained 1 bedroom flats

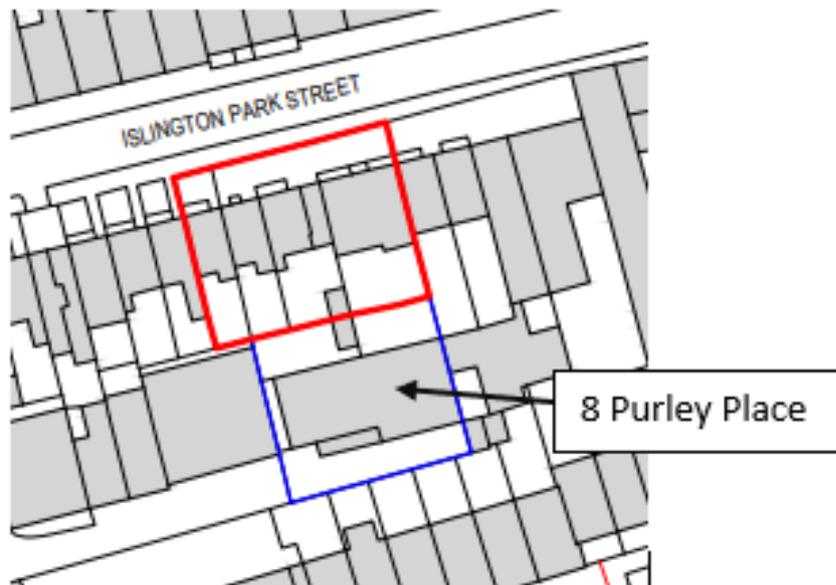


Image 1: Site Location Plan showing site in proximity to no. 8 Purley Place

- 7.8 The planning application has been assessed against relevant planning policy and legislation with relevant material considerations, inclusive of context and previous decisions, given due consideration. It should be noted that while a material consideration, a previous decision is not considered to act as a 'precedent' and the weight afforded to this in the decision making process is a matter for the decision maker.
- 7.9 Regarding the lack of reference to the Inspector's views on development at 8 Purley Place (Ref. P0819312), including the enlargement of the rear lightwells, that has been raised in a representation, it should be noted that the scope of the two applications differ considerably. Furthermore, and as previously noted, the proposals were subject to different planning policy context. As such, the previous applications (appeals) referenced are materially different to the current proposal and that is the reason that limited weight was attributed to the previous appeals in the assessment of the current application.
- 7.10 In addition, the references made by occupiers of neighbouring properties in the representation to the relevant Appeal Decision (2009) (see paragraph 7.7) referred to comments by the Inspector about the cluttered appearance of the rear elevation of the proposed building (8 Purley Place) rather than the buildings subject to this application. The Appeal Decision does not refer to any minor structures to the rear garden of the new 3 storey building within this application.
- 7.11 Whilst the current application largely retains the existing properties and involves a change of use and some relatively minor refurbishment, it is considered to be different in so much as the scale and scope of the external changes proposed and therefore impact on the heritage assets. Subsequently, the decisions and assessment made by the Inspector, which was 13 years ago, and was subject to a different planning policy context, including the 2002 Islington Unitary Development Plan and the National PPG 15: Planning and the Historic Environment as opposed to the current Islington Development Management Policies (2013) and NPPF (2021). It is therefore considered that limited weight can be attributed to these decisions.
- 7.12 Notwithstanding the above, since the date of the original assessment, the Council has received amended drawings to revise the proposed refuse and cycle storage to the

proposed units. The proposed ground floor plan (drawing no. 202/PL12/P2, Image 2 below) shows the previously refuse and cycle storage arrangements. As shown in Image 2 below, both the refuse and cycle storage was previously proposed to be located within the rear garden of the three dwellings.



Image 2: Proposed Ground Floor presented at Planning Committee on 23rd April 2020 (Ref. PL12/Rev.P2)

- 7.13 Following correspondence between concerned residents and the Head of Development Management it was confirmed that officers would request *bin and bike storage for the houses are to be secured to the front of the houses however for the flats, the bins and bikes are to remain to the rear*. Following these discussions Officers requested amended drawings from the applicant to alter the position of the proposed refuse and cycle storage to from the rear to the front gardens. The amended drawings received have altered the refuse storage for the three houses (no's 38, 40 and 42) from the rear to the front garden, whereas the refuse storage to the four flats (at no. 44) has been retained to the rear garden. The refuse and cycle storage for the 4 flats (within 44) has been repositioned away from the rear boundary.
- 7.14 Whilst the applicant has investigated the provision of cycle storage to the front garden, officers consider that the introduction of secure cycle stores to the front of the site would be unduly prominent and incongruous within the conservation area, whilst also being limited by the space available. Therefore, the amended plans detail the cycle storage to be retained to all of the proposed units within the rear gardens. The main changes include the reduction of the footprint of the storage for no.s 38, 40 and 42, and the repositioning of the storage at no. 38 away from the rear boundary. Whilst the size of the cycle storage for the flats within no. 44 would be retained, it has been

repositioned towards the east of the area to the rear of this property, which would be adjacent to the refuse storage and the existing alleyway. This revised arrangement is shown in Image 3 below:

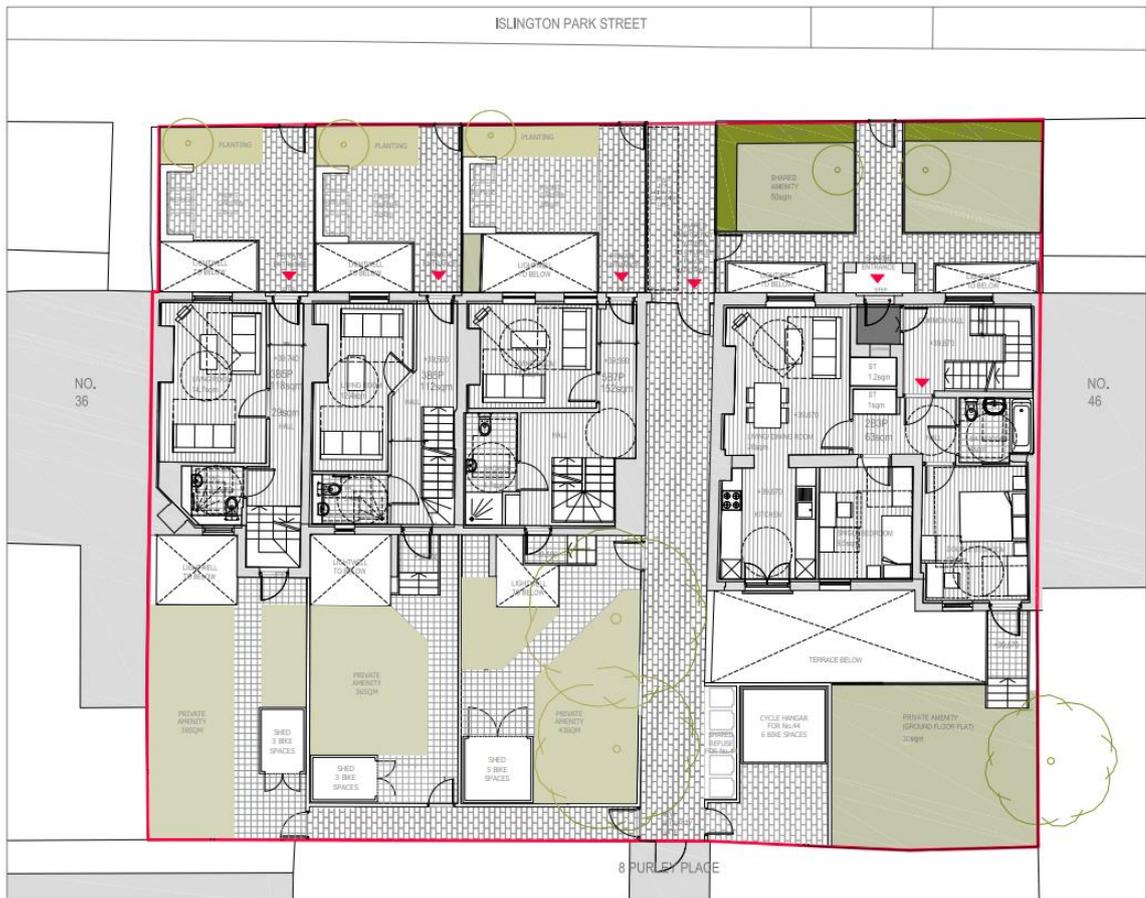


Image 3: Revised Proposed Ground Floor Plan with amendments to refuse and cycle storage

- 7.15 To assess the acceptability of these changes in design terms, it is important to take into consideration the design advice found within the Islington Urban Design Guide (UDG) 2017 and Barnsbury Conservation Area Design Guidelines (CADG).

Refuse storage

- 7.16 Paragraphs 5.186 to 5.188 of the UDG advises that *in addition to Islington’s Recycling and Refuse Storage Requirements (refer to Guidance for Architects) bin stores should be designed so they neatly integrate with building frontages and thresholds and do not undermine community safety. Also, that it is normally unsuitable to locate them in the front threshold area where their height can block sight lines particularly around residential entrances. For convenience as well as community safety reasons they are normally better located behind the building façade next to the building entrance.*

- 7.17 Paragraph 10.33 of the CADG provides the most relevant advice in relation refuse storage enclosures with the following:

‘Some of the properties in the conservation area have front basement areas, protected by cast iron railings, which are important to the character of the area. The filling in or covering over of these areas prejudices light to the basements and spoils the appearance of the front elevation. The widening of front entrance steps, and the

construction of dustbin and meter enclosures have a detrimental effect on the area. Dustbins and meter enclosures should be discreetly located so as to be invisible from the street'.

- 7.18 As noted above, amended drawings were received to alter the position of the refuse storage area for the three houses following concerns raised in representations, in terms of the proximity to neighbouring properties to the rear. However, it should be noted that representations have been received raising objection to refuse stores being located on the street frontage.
- 7.19 It is acknowledged that the above design guidance recommends that refuse storage is not located on the street frontage. However, as shown in the streetview photographs there are examples of refuse storage in front gardens within the surrounding area, including previously at no. 44 which forms part of the application site. The Council's planning records indicate that this storage does not appear to have been granted planning permission and some has since been removed. However, the other storage area has been situ for at least 4 years and would therefore be immune from enforcement action. Also planning permission was granted for a refuse storage as part of the conversion of no. 26 Islington Park Street (Ref. P2015/3554/FUL) into flats. Therefore, the principle of refuse storage areas to front gardens, along this section of Islington Park Street, is considered to be acceptable in design terms. However, the remaining refuse storage to the rear garden of no. 44 for the four flats is also considered to be consistent with the design advice above.



Image 4: Street view photos showing refuse storage areas along Islington Park Street

- 7.20 It is acknowledged that limited details have been provided in terms of the refuse storage design including its impact on the streetscene. However, it is considered appropriate that the details of this storage area could be secured through a condition. A condition (7) is recommended requiring details of the proposed storage and collection arrangements to be submitted to and approved in writing by the Local Planning Authority.
- 7.21 In addition to this, conditions relating to the boundaries (4) and the landscaping for the front garden (13) were previously recommended. These conditions continue to be recommended, albeit in an altered form. The Council recommends that the conditions are altered to ensure that the details are submitted prior to the relevant parts of the development commencing, but that the approved details would need to be installed

prior to the first occupation of the proposal. Whilst the representations have raised concerns that the refuse storage would potentially subsume the proposed railings, officers consider that the installation of historically appropriate railings to the street frontage would be a heritage benefit. Therefore, any submission of the approval of details for the proposed front garden, which would include the refuse storage, hard and soft landscaping, as well as the railings would need to ensure that they would meet the statutory test of preserving or enhancing the visual appearance and historic character of the host building and the setting of the heritage assets.

Cycle storage

- 7.22 As detailed at paragraph 7.12 of this report, since the presenting of the Committee Report to the 23rd April 2020 Planning Committee, amendments have been received relating to cycle storage, in terms of the size and position with the rear. The UDG and CADG do not have any specific guidance in relation to cycle storage. However, Development Management Policy DM8.4C advises that *cycle parking is required to be designed to best practice standards and shall be secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible*. Given their similarities, the guidance in relation to refuse storage areas described above is considered relevant, noting that these should be located to reduce their visibility.
- 7.23 The advice regarding garden buildings in paragraphs 5.169 and 5.170 of the UDG is also considered relevant. It advises that they should be *designed to be subservient to the main building on the site. They should be as low as possible, with a modest footprint and should be sufficiently set away from boundaries to prevent cumulative impact or a 'terracing' effect arising from similar built form to the end of adjoining gardens. They should normally be of lightweight construction and will only be acceptable where sufficient garden/open space remains to provide high quality and useable amenity space that provides adequate space for day to day uses and does not result in fragmented areas incapable of supporting planting*.
- 7.24 As noted above, the footprint for the storage for nos 38 to 42 has been reduced in comparison to the storage presented in the original scheme, as well as relocating the refuse storage to the front garden, resulting in a modest area within the rear garden covered by these small scale structures. The refuse store for no. 44 has also been repositioned to allow occupiers of the flats to access these communal storage facilities, but results in the rear garden associated with the ground floor unit within this property being reduced in size by 9 sqm (from 39 sqm to 30 sqm). However the garden area remains acceptable in scale and layout.
- 7.25 Whilst addressed later in this report, the introduction of garden buildings would result in some reduction of useable space by future occupiers. However, the size of the storage buildings has been reduced in comparison to the original scheme and sufficient garden space remains. The applicant explored options for the introduction of storage to the front garden alongside the relocated refuse storage. However, officers did not consider this to be appropriate in design and conservation terms (see above) and considered that there was insufficient space if both refuse and cycle storage were located to the front garden. As such, it is considered appropriate that secure cycle storage can be accommodated within the rear gardens of the property.
- 7.26 The applicant has provided details of the proposed cycle storage (shown in image below). These are of timber construction with a lean-to roof at an approximate height 1.15m to the eaves and 1.36m to the ridge, and would have a depth of 2m with a width of 1.4m where they are in the rear gardens of the three houses (for 3 cycles) and 2m for the flats (for 5 cycles).

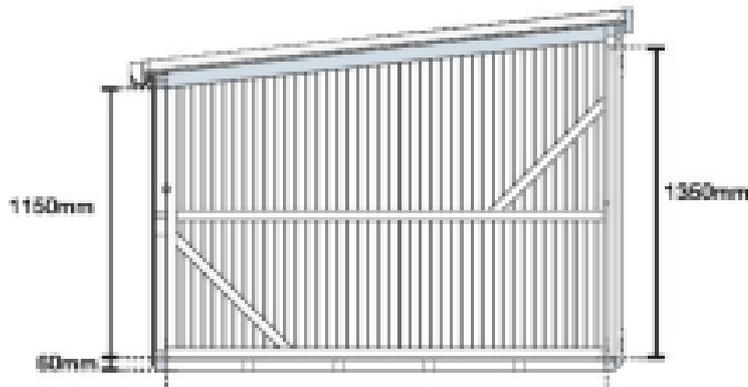


Image 5: Proposed cycle storage details

- 7.27 Notwithstanding the assessment in paragraphs 7.7 to 7.10 of this report, the comments raised in representations referencing the Inspectors comments in the Appeal Decision for the application at 8 Purley Place P0819312 have been addressed. The Inspector states the following:

[The rear gardens are a] well-used but restricted communal private amenity space of 38-44 Islington Park Street [and] the only area of readily accessible open space for the residents of this communal household and I consider it important that any new development should not impose even more limitations upon the usefulness of this intensively used slice of amenity land.

- 7.28 It should be noted that the use of the application site (38-44 Islington Park Street) is proposed to be changed and specific policies apply to the assessment of acceptability of such spaces. In this regard, the Inspector's comments related to a different use with different requirements, and therefore they hold limited weight in the consideration of the current application. It is considered that the position of the cycle storage in the rear garden would allow for most of the rear garden to be used by future occupiers and would not result in any fragmented spaces, and whilst this is assessed further in relation to the standard of accommodation it is considered acceptable. Furthermore, the design of the stores would be such that they would appear as typical small scale garden buildings that due to their minimal height and small scale, would not be

overbearing or visually intrusive to neighbouring occupiers and would not detract from the character and appearance of the conservation area, nor the setting of the listed buildings.

- 7.29 The previous recommendation detailed in the Committee Report recommended a condition (7) relating to cycle storage which states the following:

CYCLE PARKING PROVISION (DETAILS): Details of the layout, design and appearance (shown in context) of the bicycle storage area(s) for the site shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the residential units approved under this consent. The storage area(s) shall be secure cycle spaces for the proposed residential units hereby approved.

The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.

REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.

- 7.30 The additional details in relation to cycle storage and the revised position and size are considered to be acceptable in design terms. Therefore, rather than a condition requiring further details to be submitted, a compliance condition has been recommended requiring the cycle stores to be implemented in accordance with the amended plans and details submitted prior to the first occupation of the proposed units.

Rear Accessway

- 7.31 Representations have been received raising concern with the proposed accessway to the two gardens serving No.s 38 and 40. The concerns regarding neighbour amenity and security are addressed later in this report. Concerning design, the access way would be limited in extent and would require an acceptable boundary treatment that is secured by condition. The limited extent of the alleyway and provision of appropriate boundary treatment is such that it would not detract from the character and appearance of the conservation area and is acceptable in design terms.

Lightwells

- 7.32 Concerns have been raised in representations in relation to the size of the rear lightwells, which form part of the basement development element of the proposal. The amended plans do not include any changes to the extent of the rear lightwells which were assessed within paragraph 10.24 in the original Committee Report (Appendix 3) stating that

'The position of the existing rear lightwell is considered to be appropriate and compliant with the above guidance. Whilst the proposed enlargement of these existing lightwells would result in a small portion of the rear gardens being excavated, the majority of the garden would be retained.

- 7.33 It is considered that the rear lightwells continue to be acceptable in design terms.

Lighting

- 7.34 Concerns have been raised in representations in relation to the removal of external lighting to the front elevation. The proposal does include any new external lighting

including to the front elevation. However, some external lighting may be necessary for security purposes, therefore a condition (16) has been recommended for the submission of details relating to any existing or proposed external lighting prior to the relevant works commencing.

Consultee Comments

- 7.35 Representations have also raised concern that Officers did not receive comments from the Council's Design and Conservation Officers. Whilst no written comments have been provided, the proposals have been discussed with the Design and Conservation Team and feedback provided in relation to the proposal from pre-application stage onwards.

Design and Conservation Conclusion

- 7.36 Given the above assessment of the amended plans, together with the original assessment detailed within the previous Committee Report it is considered that the amended proposal is acceptable in design terms. This is subject to the same conditions recommended in the original report, apart from the changes noted above. Therefore, the proposal is considered to preserve the visual appearance and historic character of the area. In line with Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the Barnsbury Conservation Area, its setting and any of its features of special architectural or historic interest, including the setting of the Grade II Listed Building (no. 36 Islington Park Street) and is considered acceptable in design terms.
- 7.37 It is noted that officers have written to concerned residents and advised that the location of the refuse and cycle stores would be secured to the front of the site. While the refuse stores can be successfully accommodated within the front area, for the reasons set out above, which follow further investigation, it is considered that the cycle stores cannot reasonably be provided within the front area and that the proposed design and location of the cycle stores to the rear of the site is appropriate in this case. The amended plans have been re-consulted upon and neighbouring residents are therefore aware of the proposed location of the refuse and cycle stores.

Neighbouring Amenity

- 7.38 Paragraphs 10.55 to 10.68 of the previous Committee Report details the assessment on the amenity of occupiers of neighbouring properties, including Overlooking and Loss of Privacy, Outlook/enclosure and Daylight and Sunlight and Noise/dust and disruption.
- 7.39 The assessment concluded in paragraph 10.66 of the Committee Report with the following:

The proposal is therefore considered not to have a detrimental impact, outlook, privacy and overlooking and daylight and sunlight, and would therefore be in compliance with policies DM2.1 of the Development Management Policies 2013 and the guidance set out in the Urban Design Guide 2017 in this regard.

- 7.39 The additional consultation process raised concerns in representations about the amenity impact on the occupiers of neighbouring properties as a result of the proposed change of use, particularly in regard to the intensification of the use of the existing access to 8 Purley Place via the ground floor door located between no. 42 and 44

Islington Park Street. While a number of comments in representations consider that a new access is being created, this is not the case, with access currently provided by means of a walkway leading from Islington Park Street to 8 Purley Place.

- 7.40 Paragraphs 10.67 and 10.68 within the previous Committee Report provide an assessment in regard to noise and compliance with Policy DM3.7. The Committee Report detailed that the Council's Environmental Health Pollution Officer had no objections to the proposal, subject to a condition (8) requiring further details of noise mitigation relating to external sources to be submitted and approved in writing to protect future occupiers. This condition would help mitigate external noise to future occupiers of the proposed residential units and neighbouring residential.
- 7.41 With regard to noise generation generally, the site is not considered to be close to existing sources of noise; noise generating uses that raise disturbance issues nor does the application involve the installation of flues, air conditioning, plant, extraction etc. Therefore, a noise impact report is not necessary in this case. Furthermore, the proposal would introduce residential dwellings with fairly traditional garden layouts within a largely residential area, such that the use of the premises and gardens would not result in unacceptable noise levels above and beyond those typical of a residential dwelling.
- 7.42 As noted in the design section, the original proposal has been amended, with the proposed cycle and refuse storage re-located away from the neighbouring property at 8 Purley Place. Therefore it is considered important to assess the potential impacts of these changes, particularly in regard to the intensification of the use of the alleyway.
- 7.43 Following receipt of representations and correspondence with both residents and the applicant, the applicant explored options for relocating the refuse and cycle storage to the front gardens. However, as noted above, it is considered that there is insufficient space and subsequent design concerns with the location of both cycle and refuse stores to the front of the site for the three houses (no. 38, 40 and 42). Furthermore, it was not considered necessary to relocate the larger cycle and refuse enclosures serving the flats to the front of the site.
- 7.44 Officers also explored the possibility of requiring the occupiers of the three houses taking bicycles through the properties to the rear to omit the rear accessway to the two houses. However, it is considered that given the restricted access and level changes, with a number of staircases, this arrangement would not be practical, reasonable or accessible for future occupiers. Therefore, it is considered that the proposed access arrangements for No.s 38 and 40 to access their rear bike stores is acceptable. The limited number of occupiers of these units and access to limited numbers of cycle spaces are such that it would be unlikely that this accessway would result in unacceptable noise disturbance to neighbouring occupiers. However, in order to control the users of this alleyway to only be occupiers of the proposed units, a condition has been recommended for details of security arrangements to be submitted prior to the first occupation, to ensure that access through the rear part of the site is restricted only to occupiers of the proposed units as well as the existing occupiers of 8 Purley Place.
- 7.45 In terms of the refuse storage, the relocated storage associated with the three houses (no. 38, 40 and 42) to the front gardens and within dedicated stores is not considered to result in any unacceptable amenity issues. It is acknowledged that the refuse and cycle storage to the proposed flats (within no. 44) would be retained in the rear garden, but this has been relocated further from neighbouring residential boundaries. Although still requiring access via the existing alleyway, recommended Condition 6 requires details

of the refuse storage and collection arrangements, including how it is moved during collection days to be submitted to ensure this is acceptable.

- 7.46 The previous Committee Report recommended a condition (9) that required the implementation of the Secured by Design measures endorsed by the Metropolitan Police's Secured by Design Officer found within the Appendix of the Design and Statement. However, given the changes to the original proposal a revised condition has been recommended to ensure that these details are submitted prior to the commencement of the relevant parts of the development, with the approved details implemented in full prior to the first occupation of the proposed units.
- 7.47 Representations received also raise concerns regarding the potential loss of privacy to occupiers of neighbouring properties from users of the existing access and alleyway between no. 42 and 44 Islington Park Street as well as from rear gardens. The use of these paths to a limited number of properties and rear gardens is not considered to cause an unacceptable impact to privacy of the rear amenity spaces of proposed nor adjoining residential properties. It should be noted that these spaces will only be used by future occupiers of the proposed units for cycle and refuse storage purposes, with controlled access provided through to 8 Purley Place. The use of rear gardens would not result in a loss of privacy to neighbouring occupiers above and beyond any potential current use of these spaces. Privacy was also considered in the previous Committee Report (paragraphs 10.59 to 10.62) and found to be acceptable.
- 7.48 Given the above and the previously presented assessment, it is considered that the proposal would not result in unacceptable impacts on the amenity of neighbouring occupiers and would therefore be in compliance with policies DM2.1Ax of the Development Management Policies 2013.

Housing mix and Standard of Accommodation

- 7.49 Paragraphs 10.67 to 10.94 of the previous Committee Report outlined the Council's assessment in relation to the housing mix and standard of the proposed accommodation.
- 7.50 The assessment considered that whilst the housing mix deviated from Policy DM3.1, particularly the inclusion of a 5-bedroom house, it was considered that this housing mix was acceptable. It was noted at paragraph 10.72 that *in addition, the Development Management Policies (2013) recommend that in such cases, the Council needs to be satisfied that the proposed housing size mix will address a specific affordable housing need/demand and result in an overall improvement in the utilisation of affordable housing units in Islington. The Council's Housing Team who manage the Council's Affordable Housing, have confirmed that the proposed unit mix would meet the Council's needs and they consider this housing mix is acceptable.*
- 7.51 In terms of the standard of accommodation the Committee Report (in paragraph 10.94) stated the following:

The proposed residential element of the development provides acceptable living conditions for future occupants in terms of the standard of accommodation and amenity space. Therefore, the proposal accords with policy 3.5 of the London Plan 2016, policies CS8, CS9 and CS12 of the Islington Core Strategy 2011 and policies DM2.1, DM3.4 and DM3.5 of the Islington Development Management Policies 2013 and the National Space Standard 2015.

- 7.52 Representations have raised concerns about the standard of accommodation. These have referenced the use of 'intrusive' pathways, reduction in soft landscaping and storage of waste and bicycles that form part of the current proposal, stating that these would, *deprive its future occupants of privacy to the rear of their homes, and of the benefits associated with private outdoor space, namely health, quality of life and children's play.* The objections consider that the original proposal was considered acceptable due to it being proposed as affordable housing.
- 7.53 The previous Committee Report identified that all of the units would meet the minimum total floorspace standards and standards for bedrooms and living rooms, whilst providing dual aspect. However, the previous Committee Report outlined concerns with the standard of accommodation in relation to restricted outlook and daylight/sunlight levels experienced by future occupiers, together with restricted floor to ceiling heights.
- 7.54 The main concern in relation to the restricted outlook related to one of the lower ground floor flats (within no. 44) owing to the position and restricted size of the front lightwell. Paragraph 10.79 from the previous Committee Report provides the following assessment:
- 'Officers acknowledge that one of the front elevation windows at lower ground floor (within no. 44), is restricted in terms of the outlook, due to the position and the restricted size of the front lightwell. Whilst the enlargement of the front lightwells were explored by the applicant to improve outlook, this would be unacceptable in design terms and its impact on the wider conservation area. As a result, the proposal has improved the outlook to the rear of both this unit, and the basement level to the other dwellings, by the enlargement of the existing rear lightwells. Given the size of the rear lightwell, associated with the lower ground floor flat and that the rear elevation of the host buildings are south facing, means that it would receive direct daylight/sunlight and the restricted outlook would be largely mitigated. Officers do note that the lower ground open plan living spaces for each flat are dual aspect with larger windows/French doors also orientated to the south along the rear elevation thereby increasing the light serving these rooms. The accompanying Daylight Report also provides calculations on the level of light serving each room'.*
- 7.55 Paragraphs 10.80 to 10.85 of the Committee Report detail an assessment of daylight/sunlight experienced by future occupiers. Following the submission of an ADF (Annual Daylight Factor) report which confirmed that all of the habitable rooms would meet and exceed the BRE targets, this was considered acceptable.
- 7.56 Concerning floor to ceiling heights, paragraphs 10.86 to 10.89 of the Committee Report identifies a number of deficiencies but concludes that *the restricted floor to ceiling heights within the proposed units throughout the host building, whilst not ideal, is considered to be acceptable, on balance, given the acceptable standard of accommodation generally, in regards to dual aspect, levels of daylight/sunlight of outlook, the orientation of the property, and that the size of the units.* It is therefore considered that the lack of full compliance would be acceptable in this regard.
- 7.57 Representations received have raised concerns that the proposed units would not be fully accessible. The level of accessibility of the proposed units was assessed in paragraphs 10.95 to 10.99 of the previous Committee Report and found to be acceptable.
- 7.58 The previous Committee Report (in paragraphs 10.91 to 10.93) confirmed that the level of private amenity space provided for future occupiers was acceptable and in

compliance with Policy DM3.5. However as noted above, amended drawings have been received resulting in alterations to the level of amenity space provision.

- 7.59 The table below shows how the changes to the proposal has impacted the levels of private amenity space in comparison to the original scheme which was considered acceptable. It is noted that the lower ground floor flat (within no. 44) has 23sqm of amenity space, which does not meet policy requirements. However, the site is restricted in terms of the depth of the rear garden and the unit is considered to provide an acceptable standard of accommodation overall. With the exception of a 9 sqm reduction in the private amenity space for the ground floor unit at No. 40, the private amenity space figures would match those previously considered to be acceptable. Whilst the 9sqm reduction in garden space is regrettable, it would continue to exceed minimum requirements for the unit size.

House/Unit no.	Bedrooms/ Bedspaces	Required size (GIA)	Original size (GIA)	Proposed size (GIA)
38	3b/5p house	30 sqm	61 sqm	61 sqm
40	3b/5p house	30 sqm	58 sqm	58 sqm
42	5b/7p house	30 sqm	71 sqm	71 sqm
40 (lower ground)	2b/3p flat	25	23 sqm	23 sqm
40 (ground)	1b/2p flat	15	39 sqm	30 sqm
40 (first)	1b/2p flat	5	22 sqm	22 sqm
40 (second)	1b/2p flat	5	8 sqm	8 sqm

Table 1: Assessment of private amenity space

- 7.60 While 50 sqm of communal amenity space is proposed to the front of no. 44, given its location along Islington Park Street which is near the junction with Upper Street, the quality of the front gardens are not considered to provide a high quality private amenity space. However, it would be of visual benefit to the streetscene. It is considered therefore that less weight can be attributed to the front gardens with the 3 houses (within 38, 40 and 42) and this communal area for no. 44, with greater weight attributed to the private amenity space to the rear. Table 2 below breaks down the front and rear garden spaces for 3 houses (within 38, 40 and 42):

House/Unit no.	Bedrooms/ Bedspaces	Required size (GIA)	Proposed front garden size (GIA)	Proposed rear garden size (GIA)
38	3b/5p house	30 sqm	23 sqm	38 sqm
40	3b/5p house	30 sqm	22 sqm	36 sqm
42	5b/7p house	30 sqm	28 sqm	43 sqm

Table 2: Assessment of size of private amenity space in front and rear gardens

- 7.61 As demonstrated above, even with the removal of the front gardens from the amenity space calculations, each of the units would have a private amenity space in accordance with policy requirements.
- 7.62 Representations have raised concern in relation to the position of the proposed cycle storage in the rear gardens and the impact of these on the use of the space. As noted in the design section there are several similar outbuildings within rear gardens, and the footprint of these outbuildings have been reduced in size in comparison to the original submission, which was considered acceptable. Notwithstanding this, it should be noted that all three houses have rear gardens that exceed the minimum size requirements

for family sized dwellings by at least 6sqm. Therefore, with the footprint of the cycle stores removed from the above noted figures, the garden space available would continue to meet policy requirements.

- 7.63 Further comments have been raised in representations regarding the quality of the private amenity space due to the introduction of hardstanding. Whilst a condition has been recommended in relation to landscaping of these areas, the introduction of some hardstanding, which provides access routes and contributes to the use of this space is considered acceptable.
- 7.64 The proposal is considered to provide acceptable living conditions for future occupants in terms of the standard of accommodation and amenity space. Therefore, the proposal accords with policy H6 of the London Plan 2021, policies CS8, CS9 and CS12 of the Islington Core Strategy 2011 and policies DM2.1, DM3.4 and DM3.5 of the Islington Development Management Policies 2013 and the National Space Standard 2015.

Accessibility

- 7.65 Paragraphs 10.96 to 10.99 of the previous Committee Report provides an assessment in relation to the level of accessibility for future occupiers. This assessment highlights deficiencies identified by the Council's Inclusive Design Officer and why the proposals were considered acceptable in this case.

Highways and Refuse Facilities

- 7.66 Paragraphs 10.104 to 10.107 of the previous Committee Report provides an assessment of the impact of the proposal on the wider local public highway network and the refuse provision for the proposed occupiers of the development.
- 7.67 This assessment considered that the proposal would be acceptable in terms of its impact on the local highway, ensuring the development would be car free, with future occupiers restricted from obtaining car parking permits and adequate cycle storage provided. It is therefore considered that subject to the same conditions and obligations the proposal would be acceptable.
- 7.74 The Council's Highways Team have reviewed the current proposal and have confirmed they have no objections. The Highways Officers have previously expressed a preference for cycle storage to be located to front gardens, but that on balance, the storage to the rear gardens is acceptable. They have requested that the proposal is car free, with no parking to the front gardens and occupiers prevented from obtaining car parking permits, and conditions to secure the cycle storage, as well as details relating to a Construction Management Plan and the front boundary details. As with the original recommendations, these matters are recommended to be secured by way of condition and legal obligations.
- 7.75 The proposal has been amended to relocate the refuse storage area for the three houses from the rear to the front gardens, with the storage for the 4 no. flats (within no. 44) being retained to the rear garden. As noted above, a condition is recommended for details of the refuse/recycling storage and how the refuse would be moved to the street frontage for collection to be submitted. It is considered that subject to this condition, the refuse facilities are acceptable.

Affordable Housing

- 7.76 As noted in paragraphs 10.111 to 10.115 of the previous Committee Report the proposal would deliver a 100% affordable housing scheme, which is required by

Islington Core Strategy (2011) policy CS12, as the applicant is a Registered Provider of affordable accommodation.

- 7.77 The proposal would secure all units at social rented rates, with four of the units comprising those within no. 44 Islington Park Street, delivered as 'Move-on' accommodation. 'Move-on' accommodation is a Greater London Authority (GLA) grant funding scheme that contributes towards the capital costs of developing accommodation for people leaving homelessness hostels. The proposed legal agreement would secure that where the 'Move-On' units cease to be funded by the GLA, these will revert to social rented units with nomination rights reverting back to Islington's Nominations agreement
- 7.78 As concluded in the original assessment, the Council's Housing Team have confirmed that proposal would meet Islington Core Strategy 2011 Policy CS12 Part G requirements of delivering 100% Affordable Housing. It is therefore considered that the proposal would be acceptable in this regard. This has been secured through a legal agreement.

Other Matters

- 7.79 Several other matters have been raised in representations, which include alleged inaccuracies and inconsistencies of both the submitted drawings and application form.
- 7.80 In terms of the drawings, the originally submitted Site Location Plan was incorrect as it did not include all 4 host properties which form the development (omitting no. 38). A revised Site Location Plan was submitted, which corrected this omission and the application re-advertised. The previous and amended Site Location Plans are detailed below:



Image 6: Comparison of Site Location Plan submitted originally (left) and revised (right)

- 7.81 A representation also considered that the adjoining neighbour context had not been detailed, with specific reference to the property at 7 Purley Place, and therefore a detailed assessment of the impact of the proposal on neighbouring properties could not be undertaken.
- 7.82 With the exception of the aforementioned Site Plan, the plans as originally submitted correctly identified the red line of the site, the full extent of the site and appropriate neighbouring context, inclusive of 7 Purley Place. This therefore enabled a detailed

assessment of the proposals to be made, with paragraphs 10.60 to 10.64 of the Committee Report addressing the amenity impact on neighbouring properties, with specific reference to 7 Purley Place.

- 7.83 A representations considers that the applicant is in breach of its requirement to serve notice on every person who is an owner of the land to which the application relates. The applicant has advised that they own all of the land to which this application relates and as such, has completed Certificate A in the application form, which confirms this position. While the representation makes reference to 8 Purley Place and notices as part of that application, this is a different application site.
- 7.84 Representations have also questioned the completion of Section 9 of the application form, which relates to 'Pedestrian and Vehicle Access, Roads and Rights of Way', specifically in response to the question "Is a new or altered pedestrian access proposed to or from the public highway?" where the applicant has responded "No". Given that the route through the site is existing and that no new access is being created it is considered that this section of the application form has been completed correctly.
- 7.86 Concerns have been raised in representations regarding Party Wall issues and damp associated with the proposed basement excavation. Whilst the structural impact of the proposal was considered at paragraphs 10.41 and 10.54 of the previous Committee Report, Party Wall issues alongside instances of damp fall outside of planning legislation and are civil matters between the applicant and any other relevant parties.
- 7.87 Representations suggest that unauthorised works have commenced on site, specifically excavation to rear garden. This matter is subject to an ongoing enforcement investigation and where a breach of planning control is identified action will be taken where appropriate.

8. SUMMARY AND CONCLUSION

Summary

- 8.1 The principle of the loss of the existing and vacant HMO is considered to be acceptable in land use terms. This is following consultation with the Council's Environmental Health Team, who manage and licence HMOs within the Borough, assessing the existing accommodation not to be of 'good quality' and subject to the proposal meeting an acute need identified by the Council's Housing Team. This acute need is considered to be the delivery of 7 no. self-contained affordable housing residential units, with the proposal delivering 100% affordable units on site in accordance with Policy CS12 of Islington Core Strategy Policies (2011).
- 8.2 The proposal, subject to detailed conditions in relation to the materials, the landscaping, including appropriately designed railings and refuse storage, is considered to pay special regard to the visual appearance and historic character of the host buildings, wider area, the Barnsbury Conservation Area and the setting of the heritage assets, and is considered acceptable in design terms.
- 8.3 The proposed residential units would provide an acceptable standard of accommodation, meeting and exceeding the minimum requirements in terms of daylight, providing dual aspect, good levels outlook, exceeding the minimum floorspace standards and providing appropriate amenity space.

- 8.4 Conditions have been recommended to mitigate the impact of the development on the amenity of the occupiers of the neighbouring properties, the trees within surrounding area and to the surrounding public highway network, including a legal agreement to restrict future occupiers from obtaining car parking permits.
- 8.5 Subject to conditions, the proposal is considered to accord with the relevant policies found within the Development Plan.

RECOMMENDATION

- 8.6 It is recommended that planning permission be granted subject to conditions and the Section 106 agreement Heads of Terms as set out in **Appendix 1 – RECOMMENDATIONS**.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service:

- Affordable Housing: 3 no. units (no's 38, 40 and 42 Islington Park Street) to be for social rent and 4 no. units (within no. 44 Islington Park Street) to be GLA funded 'Move-On' accommodation, unless the funding or program ceases at which time it would revert to social rented with local nominations.
- Car free development: restrict future occupiers from obtaining car parking permits

If the Committee resolve to grant, resolution will include provision to provide flexibility to officers to negotiate and finalise s106 on behalf of the Committee.

That, should the Section 106 Deed of Planning Obligation not be completed within 13 weeks from the date when the application was made valid or within the agreed extension of time, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

ALTERNATIVELY, should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

That the grant of planning permission be subject to conditions to secure the following:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Existing drawings: 202/PL02/Rev.P1 (Site Block Plan), 202/PL03/Rev.P1 (Lower Ground Floor), 202/PL04/Rev.P1 (Ground Floor), 202/PL05/Rev.P1 (First Floor), 202/PL06/Rev.P1 (Second Floor), 202/PL07/Rev.P1 (Roof Plan), 202/PL08/Rev.P1 (Front Elevation), 202/PL09/Rev.P1 (Rear Elevation),</p> <p>Proposed drawings: 202/PL01/Rev.P1 (Site Location Plan), 202/PL10/Rev.P1 (Site Block Plan), 202/PL11/Rev.P2 (Lower Ground Floor), 202/PL12/Rev.P4 (Ground Floor), 202/PL13/Rev.P2 (First Floor), 202/PL14/Rev.P2 (Second Floor), 202/PL15/Rev.P1 (Roof Plan), 202/PL16/Rev.P1 (Front Elevation), 202/PL17/Rev.P1 (Rear Elevation), 202/PL18/Rev.P1 (Section),</p>

	<p>Reports: Town Planning Statement dated July 2019, Design & Access Statement ref. 202_DAS_V4_190730 dated July 2019, Design & Access Statement Supplement: Railings including drawing no. 202/PL19/Rev.D1, Statement of Community Involvement July 2019 - One Housing Group, Structural Method Statement ref.12429 dated 25 July 2019, BRIGHTON BIKE SHEDS details</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials (Details)
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Roof materials b) Paintwork (including colour) c) window and door treatment (including sections and reveals); d) pavements (including details to retain the granite sets) e) any other materials to be used. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter into perpetuity.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard and preserves the character and appearance of the Newington Green Conservation Area.</p>
4	Details of balustrades/boundaries
	<p>CONDITION: Notwithstanding the details shown within the hereby approved drawings, details of the balustrades/boundaries to front and rear gardens shall be submitted and approved in writing prior to the relevant part of the development commences.</p> <p>The approved details shall be implemented in full prior to the first occupation of the hereby approved development and retained thereafter into perpetuity.</p> <p>REASON: To protect the amenity of neighbouring properties and future occupiers and ensure they are in keeping with the visual appearance and historic character of the surrounding area.</p>
5	Construction and Environmental Management Plan
	<p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The CEMP shall include details and arrangements regarding:</p>

- a) The notification of neighbours with regard to specific works;
- b) Advance notification of any access way, pavement, or road closures;
- c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period;
- d) Details regarding the planned demolition and construction vehicle routes and access to the site;
- e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance;
- f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;
- g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.)
- h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting;
- i) Details of measures taken to prevent noise disturbance to surrounding residents;
- j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;
- k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)
- l) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic at all times, including emergency service vehicles;
- m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and
- n) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area.
- o) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.

The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on the surrounding roads, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads.

The demolition and development shall thereafter be carried out in accordance with the approved details and measures.

The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

	<p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
6	Refuse/Recycling
	<p>CONDITION: Notwithstanding the details shown in the hereby approved drawings details of refuse / recycling storage and collection arrangements from the refuse storage areas to the rear of no. 44 Islington Park Street shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant works commencing.</p> <p>The refuse / recycling storage and collection arrangements shall ensure that storage bins do not obstruct the public highway or result in an unacceptable amenity impact on the occupiers of neighbouring properties. The approved details shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter into perpetuity.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
7	Cycle Parking (Compliance)
	<p>CONDITION: Prior to the first occupation of the hereby approved development a minimum of 3 no. cycles for each of the 3 no. houses at no's 38, 40 and 42 Islington Park Street and 5 no. cycles to the rear of 44 Islington Park Street in accordance with the details shown on drawing no. PL12/P4 and BRIGHTON BIKE SHEDS details document. The bicycle storage areas shall be provided strictly in accordance with the details so approved, provided prior to the first occupation of the development, and maintained as such thereafter into perpetuity.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
8	Details of Noise Mitigation (Details)
	<p>CONDITION: A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets:</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB $L_{Aeq,8\text{ hour}}$ and 45 dB $L_{max\text{ (fast)}}$ Living Rooms (07.00-23.00 hrs) 35 dB $L_{Aeq, 16\text{ hour}}$ Dining rooms (07.00 –23.00 hrs) 40 dB $L_{Aeq, 16\text{ hour}}$</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p>

	REASON: To protect the amenity of neighbouring properties and future occupiers.
9	Secured by Design (Details)
	<p>CONDITION: Notwithstanding the security measures identified with the document titled Appendix: Secure by Design Notes (found within the approved Design and Access Statement dated July 2019) details of security measures including fob access for future occupiers to the existing alleyway between no's 42 and 44 Islington Park Street and the rear gardens shall be implemented in full prior to the first occupation of the hereby approved development and retained thereafter into perpetuity, unless otherwise agreed with the Local Planning Authority.</p> <p>REASON: In the interests of safety and security.</p>
10	Sustainable Design Statement (Details)
	<p>CONDITION: Prior to the commencement of the approved development details of a Sustainable Design and Construction Statement shall be submitted and approved in writing by the Local Planning Authority. The approved document shall be implemented in full prior to the first occupation of the approved residential units and retained thereafter into perpetuity.</p> <p>REASON: To ensure a sustainable development</p>
11	Water Efficiency Requirements (Details)
	<p>CONDITION: Prior to the occupation of the hereby approved development, details shall be submitted and approved in writing, demonstrating compliance with the water efficiency requirements of Part G of Policy DM7.4 of Development Management Policies (2013) and Environmental Design SPD. The approved measures shall be implemented in full and retained thereafter.</p> <p>REASON: To ensure the water efficiency of the development.</p>
12	Carbon Efficiency (Compliance)
	<p>CONDITION: The development hereby permitted shall be constructed to achieve a 19% reduction in regulated CO2 emissions, compared to compliance with the Building Regulations 2015 and an on-site reduction in regulated CO2 emissions of at least 25% in comparison with regulated emissions from a building which complies with <i>Building Regulations Part L 2010</i> (equivalent to Code for Sustainable Homes level 4), unless such provision is not feasible.</p> <p>REASON: In the interest of securing sustainable development.</p>
13	Landscaping (Details)
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to relevant works commencing on site for the front and rear gardens.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.
14	Retention of Engineer (Compliance)
	<p>CONDITION: For the hereby approved development the certifying professional endorsing the hereby approved Structural Method Statement must be retained (or replaced with a suitably qualified person with relevant experience) throughout the duration of construction, to ensure that the necessary expertise is available to inform decision making throughout the construction process.</p> <p>REASON: To protect the structural integrity of the host and adjacent buildings</p>
15	Removal of Paintwork (Compliance)
	<p>CONDITION: Prior to the occupation of the hereby approved development the existing paintwork found on the front elevation of the host building shall be removed and the facing brickwork made good.</p> <p>REASON: To preserve the visual appearance and historic character of the host building and wider conservation area.</p>
16	External Lighting (Details)
	<p>CONDITION: Prior to the first occupation of the hereby approved development details of any external lighting shall be submitted to the Local Planning Authority. The approved details shall be installed prior to the first occupation of the hereby approved development.</p> <p>REASON: To preserve the visual appearance and historic character of the host building and wider conservation area and the amenity of occupiers of neighbouring properties</p>
17	Tree Protection Measures (Details)
	<p>CONDITION: Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Specific issues to be dealt with in the TPP and AMS:</p> <ol style="list-style-type: none"> a. Location and installation of services/ utilities/ drainage. b. Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees. c. Details of construction within the RPA or that may impact on the retained trees. d. a full specification for the installation of boundary treatment works. e. a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them. f. Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection

	<p>Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.</p> <ul style="list-style-type: none"> g. A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing. h. a specification for scaffolding and ground protection within tree protection zones. i. Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area. j. details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires k. Boundary treatments within the RPA l. Methodology and detailed assessment of root pruning m. Reporting of inspection and supervision n. Methods to improve the rooting environment for retained and proposed trees and landscaping o. Veteran and ancient tree protection and management <p>The development thereafter shall be implemented in strict accordance with the approved details.</p> <p>REASON: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and wider area.</p>
18	Bird boxes (Compliance)
	<p>CONDITION: Prior to the first occupation of the hereby approved development a minimum of 2 no. bird nesting boxes shall be installed and retained thereafter into perpetuity.</p> <p>REASON: To encourage biodiversity.</p>
19	Details of Access Gates (Compliance)
	<p>CONDITION: Notwithstanding the details shown within the hereby approved drawings, further details of the gates allowing access to the rear of the site and no. 8 Purley Place from Islington Park Street shall be submitted to and approved in writing prior to the relevant part of the development commences. The gates shall match the neighbouring properties in terms design, materials, colour and detailing.</p> <p>The approved details shall be implemented in full prior to the first occupation of the hereby approved development and retained thereafter into perpetuity.</p> <p>REASON: To protect the amenity of neighbouring properties and future occupiers and ensure they are in keeping with the visual appearance and historic character of the surrounding area.</p>

List of Informatives:

1	Construction Works
----------	---------------------------

	<p>INFORMATIVE: Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
<p>2</p>	<p>Highways Requirements</p>
	<p>INFORMATIVE: Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to</p> <p>“Precautions to be taken in doing certain works in or near streets or highways”. This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. <u>All agreements relating to the above need to be in place prior to works commencing.</u></p> <p>Compliance with section 174 of the Highways Act, 1980 - “Precautions to be taken by persons executing works in streets.” Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. <u>Section 50 license must be agreed prior to any works commencing.</u></p> <p>Compliance with section 140A of the Highways Act, 1980 – “Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk.</p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – “Recovery by highways authorities etc. of certain expenses incurred in maintaining highways”. Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk.</p> <p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk.</p>
	<p>SECTION 106 AGREEMENT</p> <p>INFORMATIVE: You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>

APPENDIX 2: RELEVANT DEVELOPMENT PLAN POLICIES AND GUIDANCE

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1. National and Regional Guidance

The National Planning Policy Framework 2021 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

2. Development Plan

The Development Plan is comprised of the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2021 - Spatial Development Strategy for Greater London

Policy GC5- Policy D1 London's form, character and capacity for growth
Policy D4 Delivering good design
Policy D5 Inclusive Design
Policy D6 Housing quality and standards
Policy D7 Accessible housing
Policy D8 Public realm
Policy D12 Fire safety
Policy D13 Agent of change
Policy D14 Noise
Policy H2 Small sites
Policy H4 Delivering affordable housing
Policy HC1 Heritage conservation and growth
Policy T5 Cycling
Policy T6 Car parking

B) Islington Core Strategy 2011

Policy CS8 Enhancing Islington's character
Policy CS9 Protecting and enhancing Islington's built and historic environment
Policy CS10 Sustainable design
Policy CS11 Waste
Policy CS12 Meeting the Housing Challenge
Policy CS18 Delivery and infrastructure

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage

Housing

DM3.1 Mix of housing sizes

DM3.3 Residential conversions and extensions
DM3.4 Housing standards
DM3.5 Private outdoor space
DM3.7 Noise and vibration (residential uses)

Health and Open Space

DM6.3 Protecting open space
DM6.5 Landscaping, trees and biodiversity

Energy and Environmental Standards

DM7.1 Sustainable Design and Construction
DM7.2 Energy efficiency and carbon reduction
in minor schemes

Transport

DM8.4 Walking and Cycling
DM8.5 Vehicle Parking

3. Designations

The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:

4. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

London Plan

Accessible London (2016)
Character and Context (2014)
Housing (2016)
Sustainable Design and Construction (2014)
Town Centres (2014)

Islington

Conservation Area Design Guidelines (Canonbury Conservation Area; 2002)
Basement Development (2016)
Environmental Design (2012)
Inclusive Design in Islington (2014)
Islington Urban Design Guide (2017)

APPENDIX 3: Original Committee Report

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department

PLANNING COMMITTEE		AGENDA ITEM NO:	4
Date:	23 rd April 2020	NON-EXEMPT	

Application number	P2019/2651/FUL
Application type	Full Planning Application
Ward	St Marys
Listed building	Adjacent to Grade II Listed Building (no. 36 Islington Park Street) to west
Conservation area	Barnsbury Conservation Area
Development Plan Context	Locally Listed Building (no. 44 Islington Park Street) Within 50m of the Upper Street (North) Conservation Area (to east) Within 100m of TLRN (Transport for London Road Network) (Upper Street) Local cycle routes Article 4 Direction (Barnsbury Conservation Area) Article 4 Direction A1-A2 (Town Centres)
Licensing Implications	None
Site Address	Hostel and Premises, 38-44 Islington Park Street London N1 1PX
Proposal	Change of use of existing HMO (House of Multiple Occupation) to allow for the creation of 7 no. self-contained residential units (3 no. 1-bed flats, 1 no. 2 bed flats, 2 no. 3 bed houses and 1 no. 5 bed house). Excavation at lower ground floor level to increase the floor to ceiling heights and enlarge existing rear lightwells. Alterations to front and rear elevations including installation of metal railings, new access gates and proposed landscaping, refuse and cycle parking provision, and other associated works.

Case Officer	Mr Daniel Jeffries
Applicant	One Housing Group - Mr Parry
Agent	Davies Murch – Mr Jonathan Murch

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission:

1. subject to the conditions set out in Appendix 1; and
2. conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1.

2. SITE PLAN (site outlined in red)



3. PHOTOS OF SITE/STREET



Image 1: Aerial view of the site



Image 2: View of existing Islington Park Street frontage



Image 3: View of existing frontage facing west and access door to no. 8 Purley Place



Image 4: View of existing rear elevation and relationship with adjacent residential property to west (No. 36 Islington Park Street)



Image 5: View of existing rear elevation facing east showing existing covered walkway providing access to no. 8 Purley Place and existing terrace on upper floors



Image 6 View of the building internally within one of the rooms

4. SUMMARY

- 4.1 The application seeks planning permission for the change of use of an existing HMO (House of Multiple Occupancy) to allow for the creation of 7 no. affordable housing units, this is following external alterations to the front and rear elevations, including to the gardens, with the enlargement of the existing rear lightwells and the lowering of the existing lower ground floor level and the provision of refuse and cycle storage, together with associated landscaping.
- 4.2 The loss of the large HMO, which is currently vacant, is considered acceptable given the poor overall quality of the existing unit. The proposal would provide affordable housing which would meet the Council's acute housing need. This view is taken following advice provided by the Council's Environmental Health Team, in relation to the quality of the existing HMO, and the Council's Housing Team, in terms of the proposed affordable housing.
- 4.3 The proposed residential units are considered to provide a good standard of residential accommodation, providing acceptable levels of daylight/sunlight, meeting and exceeding the minimum floorspace standards, outlook and being dual aspect. All of the units would benefit from private amenity space.
- 4.4 The proposal would deliver a 100% Affordable Housing scheme being for social rented housing which will be secured within a legal agreement.
- 4.5 The proposal also involves the introduction of refuse and cycle storage to the rear gardens, alongside alterations to the existing windows and doors, the boundary treatment, including to the front gardens and paving as well as providing improved security at the site.
- 4.6 The proposed external alterations are considered to pay special regard to preserving the visual appearance and historic character of the host building and wider Barnsbury Conservation Area, and are considered to be acceptable in design terms whilst also paying regard to the statutory duties under section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990
- 4.7 The proposed alterations including the basement level works, and the introduction of residential units are not considered to prejudice the residential amenity of neighbouring properties insofar as loss of sunlight and daylight, increased sense of enclosure, overlooking, overshadowing or loss of privacy, or the wider public highway network. Conditions are recommended in relation to noise and the highway, including during the construction phase and upon occupation. The proposal therefore accords with policy DM2.1 of the Development Management Policies 2013.
- 4.8 The application is referred to committee given the number of objections received.
- 4.10 The proposal is, on balance considered to accord with the relevant policies in the Development Plan.

5. SITE AND SURROUNDINGS

- 5.1 The site is located on the south side of Islington Park Street, and consists of 4 no. three storey mid terraced buildings with an existing basement level below and existing front and rear lightwells. The 4 no. properties have previously been laterally converted to form a large HMO (House of Multiple Occupation). The host building benefits from a

rear garden which is subdivided by an existing covered walkway providing street level access from Islington Park Street, through the host building to the residential building to the south, no. 8 Purley Place. The access to no. 8 Purley Street would be maintained and is secure, and there is no access from this to the wider application site. The proposed communal (for the flats within no. 44) cycle/refuse storage is located along this access but would be secured by lockable doors. The access to the rear gardens of the residential units within nos 38, 40 and 42 would also be secured by lockable gates/doors.

- 5.2 Whilst the host building is not a statutory listed building, one of the 4 no. host buildings being no. 44 Islington Park Street, is a locally listed building. The immediately adjacent property to the west, no. 36 Islington Park Street is Grade II listed. The site is located within the Barnsbury Conservation Area.
- 5.4 This area is characterised as "dense urban" containing residential properties, and is located within close proximity to the junction with the public highway of Upper Street, which is a TLRN (Transport for London Road Network) road.

6. PROPOSAL (in Detail)

- 6.1 The application seeks permission for the change of use of the existing HMO (House of Multiple Occupation) to allow for the creation of 7 no. self-contained affordable housing units (3 no. 1-bed flats, 1 no. 2 bed flats, 2 no. 3 bed houses and 1 no. 5 bed house). The proposal also includes excavation at lower ground floor level to allow for the increase in the floor to ceiling heights and enlarge existing rear lightwells. The proposal would also include alterations to front and rear elevations including installation of metal railings, new access gates and proposed landscaping, refuse and cycle parking provision, and other associated works.

- 6.2 The table shows the location and size of the proposed residential units:

Property no.	Bedrooms/Person Bedspaces	Size (sqm)
38	3b/5p	118
40	3b/5p	112
42	5b/7p	152
44 (lower ground)	1b/2p	59
44 (ground)	2b/3p	63
44 (first)	1b/2p	51
44 (second)	1b/2p	55

- 6.3 The proposal is an Affordable Housing scheme and the proposed residential units would consist of 7 no. residential units which would be social rented housing.
- 6.4 All of the proposed residential units would benefit from amenity space, in the form of either rear gardens at ground floor or roof terraces to the upper floors, apart from the lower ground floor flat at no. 44, which would benefit from an enlarged lightwell. The proposal would involve the enlargement of all of the existing lightwells to the rear. The proposed extended lightwells would project into the rear garden by 2.2m, for properties nos. 38-42, and 2.8m to no. 44. The proposal would result in the creation of front gardens and subdivide the rear gardens, which would incorporate refuse and cycle storage. The proposed 3 no. houses (within nos. 38, 40 and 42) would be provided with dedicated refuse and cycle storage at the back of their respective rear gardens.

The flats within no.44 would have communal cycle/refuse storage accessed via the central access from Islington Park Street to the rear.

- 6.5 The proposal would also result in minor excavation works of the existing lower ground/basement floor and extending the rear lightwells into the rear gardens (as noted above). The extent to which the existing lower ground/basement level would be lowered would be 40mm (at no. 44 Islington Park Street), 16mm (at no. 42), and 25mm (at no. 38) with no change at all (at no. 40 Islington Park Street).
- 6.6 The other external alterations include the installation of metal railings to the front lightwells and between gardens, new timber doors, and new metal gates to the entrance to no. 8 Purley Place on the front elevation, as well as the removal of the existing paintwork. The other external alterations include metal railings associated with the roof terraces, as well as a Juliet balcony, alterations to existing openings at lower ground floor level, the replacement of windows on the upper floors and alterations to the materials at roof level.
- 6.6 The application has been referred to the planning sub-committee due to the number of objections received (3 objections/comments received).

7. RELEVANT HISTORY

7 Purley Place

- 7.1 P032585: Erection of front dormer, rear rooflight and elevational alterations in connection with change of use to single family dwelling house. Approved with conditions on 18/03/2004.

8 Purley Place

- 7.2 P061614: Remodelling of existing two storey building incorporating small bay extensions and additional third floor with shallow pitched roof, to provide ten supported self-contained 1 bedroom flats. Refused on 17/11/2006.

REASON 01: The proposed development by reason of an increase in the floorspace would result in an over intensification of the existing use thereby creating the potential for increased disturbance to nearby residents contrary to Policy C3, C7 H7 of Islington's adopted UDP and Islington's Planning Standards Guidelines.

REASON 02: The layout of the proposed development is likely to prejudice a sense of personal safety and security contrary to policy Env.12 of Islington's adopted UDP 2002.

REASON 03: The proposed increase in roof height would have an unacceptable impact on neighbours due to loss of outlook and overshadowing contrary to Policy D3 of Islington's adopted UDP2002

Appeal (Ref: APP/V5570/A/07/2035360) dismissed on 3 July 2007.

- 7.3 P08193: Demolition of existing building and construction of a part two storey part three storey residential care building comprising 9 x 1 bedroom residential units including ancillary facilities, amenity space and cycle parking. Refused on 28/04/2009

REASON 01: The proposed development would result in an over intensification of the existing use thereby creating the potential for increased disturbance to nearby

residents contrary to policies C3, C7 and H7 of Islington's adopted UDP 2002 and Islington's Planning Standards Guidelines.

REASON 02: The proposed increase in roof height and bulk would have an unacceptable impact on neighbours due to loss of outlook and an unacceptable increased sense of enclosure contrary to Policy D3 of Islington's adopted UDP2002

REASON 03: The proposed development would lead to a loss of privacy for neighbours to both the front and the rear and is contrary to policy D3 of Islington's adopted UDP 2002.

REASON 04: The proposed development by virtue of its poor design, particularly at the rear, is considered to be unacceptable and would have a detrimental effect on the character of the adjoining Bamsbury and Upper Street conservation areas and is contrary to policies D1 and D4 of Islington's approved UDP 2002, the aims of the approved Conservation Area Design Guidelines and the Islington Urban Design Guide 2006

Appeal (ref: APP/V5570/A/09/2110403) dismissed on 29 January 2010.

38-44 Islington Park Street

- 7.4 830100: Removal of existing curb and installation of crossover. (Withdrawn)
- 7.5 861968: 13 bedded shared accommodation with offices over. (Withdrawn)
- 7.6 870327: Construction of a three storey building to provide hostel accommodation comprising eleven bedspaces. (Withdrawn)
- 7.7 881725: Construction of a two storey building to provide hostel accommodation comprising 11 bedspaces and ancillary facilities. Approved with conditions 21/10/1988.
- 7.8 P000144: Refurbish and convert property to 12 separate units. (Withdrawn)
- 7.9 P2015/2790/COL: Certificate of Lawfulness for an Existing use as large HMO [house in multiple occupation] Approved with no conditions on 19/10/2015.

Pre-application

- 7.10 Q2018/2718/MIN: Change of use of existing Large HMO (House in Multiple Occupation) to 7 no. self-contained residential units (1 no. 5 bedrooms, 2 no. 4 bedrooms, 2 no. 2 bedrooms, 1 no. 1 bedroom, and 1 no. studio). Alterations at lower ground floor level including enlargement of existing front lightwell and lowering existing floor level. Roof terraces at first and second floor levels to the rear. Associated subdivision of rear garden. Completed on October 2018.

Officers response:

- *In land use terms, the Council protects good quality HMOs and any application would be required to provide robust justification to demonstrate that its loss would be acceptable. Any proposed scheme would need to provide housing which provides a high standard of accommodation to meet Policy DM3.4, and would provide a good mix of accommodation which meets the borough's acute need.*

- *The proposed units would need to provide a good standard of accommodation, however, no details were provided in terms of the layouts, and have an appropriate housing mix and meet inclusive design requirements.*
- *Any design changes would need to be in keeping with the wider area, and there are concerns with the enlargement of the front lightwell*
- *It was advised that a scheme would require a £100,000 Small Sites Affordable Housing contribution reflecting the creation of 2x net additional private dwellings. There may however be potential viability implications of applying a Small Sites Affordable Housing contribution to the scheme if the 2x private units are helping to cross subsidise the provision of the 5x socially rented units. This would need to be demonstrated within a viability assessment. Registered Social Landlords should provide 100% Affordable Housing schemes.*
- *The proposal would need to have an acceptable impact on neighbouring properties.*

7.11 Q2019/0663/MIN: Follow-up pre-application for the change of use of existing Large HMO (House in Multiple Occupation) to 7 no. self-contained residential units (3 no. 1 bedroom units, 1 no. 2 bedroom unit, 2 no. 4 bedroom units, and 1 no. 5 bedroom unit) Alterations at lower ground floor level including enlargement of existing rear lightwell. Roof terraces at first and second floor levels to the rear. Associated subdivision of rear garden, including cycle and refuse storage facilities. Completed on 13th May 2019.

Officers response:

- *Any application should be supported with robust information to demonstrate that the existing HMO is not a good quality. The assessment of good quality should include how it meets the requirements for HMOs in the event that the existing unit was refurbished, rather than current state of disrepair.*
- *The revised scheme of 100% social rented residential units is welcomed. However, any proposed scheme would need to provide housing which provides a high standard of accommodation to meet Policy DM3.4, and would provide a good mix of accommodation which meets the Council's acute need.*
- *In terms of design, any proposal would be required to pay special regard to preserving or enhancing the visual appearance and historic character of the associated heritage assets.*
- *Limited details have been provided regarding the proposed boundaries and access to no. 8 Purley Street. However, you are recommended to consult the MET Police Secured by Design Officer regarding this matter and the scheme overall, prior to any submitted application.*
- *The proposed units would need to provide a good standard of accommodation, have an appropriate housing mix and meet inclusive design requirements. Whilst the proposed standard of accommodation is generally improved and are welcomed bearing in mind the constraints of the site. In addition, details of the daylight/sunlight levels should be provided at basement level within any submission. You are advised to review the size of the four storey units, given the restricted head height at basement level.*

- *The proposal should ensure that it demonstrates it would not have a detrimental impact in regards to amenity of neighbouring properties, in terms the loss of daylight/sunlight, outlook,*

8. CONSULTATION

Public Consultation

- 8.1 Letters were originally sent to occupants of adjoining and nearby properties on 9th September 2019, and Site and Press Adverts were also displayed. The consultation period has expired, on 6th October 2019. However, the Council accepts representations up until the determination of the application.
- 8.2 At the time of the writing of this report, a total of 3no. objections/comments were received. The letters of representation raised the following summarised concerns and comments (with the paragraph that provides responses to each issue indicated within brackets).
- Concerns in relation to the excavation at basement level, including lowering floor level and extension of rear lightwells, would have a detrimental impact on the adjacent Listed Building (paragraphs 10.41 to 10.54)
 - Supportive of reinstatement of metal railings but requests that the details are secured by condition (paragraphs 10.27 to 10.30)
 - Concerns regarding security with the rear bin alley and bike sheds created (paragraphs 10.31 and 10.33)
 - Requests that the paintwork to the front elevation is removed (paragraph 10.33)
 - Requests historically accurate colours are used in the frontage, including windows and doors (paragraph 10.39)
 - Requests that front gardens are not used for parking (paragraph 10.105)

Internal Consultees

- 8.3 **Design and Conservation officer:** No objection, requested that conditions are attached to any approval relating to the details of the materials, the removal of the paintwork and historicly accurate railings, which would be a heritage benefit.
- 8.4 **Pollution Officer:** No objection, conditions are recommended in relation to sound insulation and noise control measures to achieve internal noise targets for habitable rooms. The Officer confirmed that the sound insulation measures between the proposed residential dwellings would be controlled by Building Regulations.
- 8.5 **Inclusive Design Officer:** Raised concerns in terms of the proposed access to the units, particularly the lack of ramps from street level (to nos. 38, 42 and 44), and the adaptability of the dwellings, including the lack of through floor lifts. Welcomes the provision of an accessible WC at ground floor level and welcomed the approach at no. 40.
- 8.6 **Housing Officer:** No objections. Confirmed that the proposed units would be acceptable and meet the Council's requirements as Affordable Housing.
- 8.7 **Planning Policy Officer:** No objections to the loss of the existing HMO subject to compliance with Development Management Policies (2013) Policy DM3.9 which seeks to retain good quality HMOs, subject to the proposal providing accommodation which meets an acute need identified by the Council's Housing Department, which may

include social rented housing, which is also compliant with Islington Core Strategy (2011) CS12. However, the Council works on the presumption in favour of protecting HMOs that could be improved to meet standards without conversion, and the assessment of whether the existing building can be described as a good quality HMO is dependent on the views of the Council's Environmental Health Department who manage and licence HMOs in the Borough.

- 8.8 **Public Realm (refuse and recycling) Officer:** No objections to the proposal but requested further details in terms of who would be responsible for moving the refuse/recycling from the proposed bin store to street level.
- 8.9 **Environment Health (HMO) Officer:** Confirmed that property was visited in August 2019 by the Council, and confirmed that it was a laterally converted property occupied by Guardians in three rooms, with the remaining parts of the building not habitable. Confirmed that the property does not have a HMO licence and doesn't require one as its only has 2 occupiers, 2 households. Confirmed the property is not 'good quality'. No objections raised to the proposal.
- 8.10 **Tree Preservation Officer:** Confirmed that subject to a condition relating to tree protection measures the Tree Officer has no objections.

External Consultees

- 8.11 **Crime Prevention Officer (MPS):** Confirmed that the applicant engaged with the Secured by Design Officer prior to the submission of the application to identify a number of security measures to protect future occupiers of neighbouring properties, recommending a number of measures, which are outlined in the Appendix: Secure by Design Notes within the Design and Access Statement, secure doors/gates and glazing, fob access, sensors for lighting in passageway, adequate boundary treatment amongst others. The Officer confirmed that the information within the Appendix is correct and these measures should be implemented in full.

9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATION & POLICIES

- 9.1 Islington Council (Planning Committee), in determining the planning application has the following main statutory duties to perform:
- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
 - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
- 9.2 National Planning Policy Framework 2019 (NPPF): Paragraph 10 states: "at the heart of the NPPF is a presumption in favour of sustainable development.
- 9.3 The National Planning Policy Framework 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

- 9.4 Since March 2014 Planning Practice Guidance for England has been published online
- 9.5 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 9.6 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 9.7 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 9.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.9 In line with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the Conservation Area, its setting and any of its features of special architectural or historic interest.
- 9.10 In line with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the adjacent Grade II Listed Building (no. 36 Islington Park Street), its setting and any of its features of special architectural or historic interest.

Development Plan

- 9.10 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013. The policies

of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.12 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

Emerging Policies

Draft London Plan (Intend to Publish Version, December 2019)

- 9.13 The draft new London Plan was published for consultation in December 2017. The consultation period ended on Friday 2 March 2018. In accordance with section 338(3) of the GLA Act, the Secretary of State has appointed a Panel to conduct an examination in public ("EIP") this opened on 15 January 2019 and continued until May 2019. The Planning Inspector made several recommendations to the Mayor on the 8th October 2019 and the Mayor responded on the 9th December 2019 with a version which is intended to be published by March 2020. The Secretary of State has now considered the 'Intend to Publish' version and the proposed changes and has made several recommendations, which are referenced in the main body of the Inspector's report. Whilst the draft London Plan does not have the full weight of a statutory development plan at this stage, it is capable of being considered a material consideration. The emerging London Plan policies have been taken into account. Relevant policies in the emerging London Plan are set out below:

Policy GG4 Delivering the Homes Londoners Need	Policy D1 London's Form, Character and capacity for Growth
Policy D4 Delivering Good Design	Policy D5 Inclusive Design
Policy D6 Housing Quality and Standards	Policy D7 Accessible Housing
Policy D10 Basement Development	Policy D11 Safety, Security and Resilience to Emergency
Policy D14 Noise	Policy H1 Increasing Housing Supply
Policy H12 Small Sites	Policy H4 Delivering Affordable Housing
Policy H6 Affordable Housing Tenure	Policy H8 Loss of Existing Housing and Estate Redevelopment
Policy H10 Housing Size Mix	Policy HC1 Heritage Conservation and Growth
Policy T4 Assessing and Mitigating Transport Impacts	Policy T5 Cycling
Policy T6 Car Parking	Policy T6.1 Residential Parking
Policy T7 Deliveries, Servicing and Construction	

- 9.14 It is worth noting that the Secretary of State has written to the Mayor of London setting out various directions to alter aspects of the emerging London Plan. It is not known at this stage what response the Mayor will make to the directions. Given what is proposed in the application, the direction does not alter the assessment in this case.

Draft Islington Local Plan 2019

- 9.15 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submission to the Secretary of State for Independent Examination. From 5 September 2019 to 18 October 2019, the Council consulted on the Regulation 19 draft of the new Local Plan. Submission took place on 12 February 2020. Due to the constraints posed by the Covid-19 crisis, it is anticipated that the Examination hearings are likely to take place in September 2020.

9.16 In line with the NPPF Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

9.17 Emerging policies relevant to this application are set out below:

Policy H1 Thriving Communities	Policy H2 New and existing Conventional Housing
Policy H3 Genuinely Affordable Housing	Policy H4 Delivering High Quality Housing
Policy H5 Private Outdoor Space	Policy H10 Houses in Multiple Occupation (HMOs)
Policy G4 Biodiversity, Landscape Design and Trees	Policy S1 Delivering Sustainable Design
Policy S2 Sustainable Design and Construction	Policy S3 Sustainable Design Standards
Policy T2 Sustainable Transport Choices	Policy T3 Car Free Development Parking
Policy T5 Delivery, Servicing and Construction	Policy DH1 Fostering Innovation and Conservation and Enhancing the Historic Environment
Policy DH2 Heritage Assets	Policy DH4 Basement Development

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land use
- Design and assessment of any heritage impacts
- Impact on the amenity of neighbouring residents.
- Quality of accommodation
- Accessibility
- Highways and refuse facilities
- Landscaping, trees and biodiversity
- Affordable housing
- Other matters

Land Use

10.2 The existing site is not within an Employment Growth Area, Employment designated area or within the Central Activities Zone (CAZ). The site is located within the Barnsbury Conservation Area. The application relates to the existing large HMO (House in Multiple Occupation) as confirmed in a lawful development certificate application (ref. P2015/2790/COL) approved in October 2015.

10.3 The government confirms that a property is defined as a HMO if *at least 3 tenants live there, forming more than one household and toilet, bathroom or kitchen facilities are shared*. A large HMO is a property that has *at least 5 tenants live there, forming more*

than 1 household who share toilet, bathroom or kitchen facilities with other tenants. A HMO must obtain a licence where it has 5 or more unrelated people live in it and has 2 or more separate households living there. However, it should be noted that HMOs don't need to be licensed if they are managed or owned by a housing association or co-operative, a council, a health service or a police or fire authority.

- 10.4 Whilst a large HMO is the last authorised use of the host buildings, a site visit was made in April 2019 by the case officer, which confirmed that the existing building is currently vacant and no longer occupied or in use as a HMO. As stated in paragraph 3.98 of Development Management Policies (2013) the term HMO refers to a residential property that takes the form of shared houses, flats and non-self-contained units/housing let to three or more unrelated tenants who form two or more households and share a kitchen, bathroom or toilet. Households are families, including single persons and co-habiting couples.
- 10.5 As noted in paragraph 3.103 of the Development Management Policies (2013) In accordance with the Housing Act 2004, the Council's Environmental Health Team licences HMOs with three or more storeys (including basements, attics, shops etc) and five or more occupiers, with certain exceptions. Agreed minimum standards for room sizes and the provision of kitchens and bathrooms are used to determine the maximum number of occupiers and households for an HMO licence. These were designed as minimum standards to protect the health of occupants in existing property by ensuring adequate facilities and space for the number of people a HMO is licensed for. In the case of new development, the council considers that the higher space standards set out in the policy should be possible. These are set out in below.

Non-self contained sleeping accommodation	Minimum room size (m ²)
Single room without kitchen	12
Single room with kitchen	16
Double room without kitchen	17
Double room with kitchen	21

- 10.6 Part C of Policy DM3.9 of Development Management Policies (2013) confirms that the Council resists the loss of good quality HMOs. Paragraph 3.104 of Development Management Policies (2013) confirms that good quality HMOs are those that provide sufficient internal space, provide occupants with a reasonable standard of amenity, and do not give rise to significant adverse amenity impacts to the adjacent and/or surrounding residential neighbourhood. The Council will exercise a general presumption in favour of protecting HMOs that could be improved to meet standards without conversion, with applications to be treated on their merits with the views of the Environmental Health Team sought.
- 10.7 As noted above the host buildings were operating as an unauthorised large HMO until October 2015, upon which time a certificate of lawful development application was approved to regularise the use. This certificate of lawful development provided confirmation that the building was in use as a large HMO for a continuous period of at least 10 years preceding the date of the application.
- 10.8 The Council's Environmental Health (HMO) Officer confirmed that the host premises have not previously benefitted from an HMO licence. An Environmental Health Officer

conducted a site inspection in August 2019 and was able to confirm that the property did not require a licence as it was only occupied by 2 tenants/occupants

- 10.9 As the Council works on the presumption in favour of protecting HMOs that could be improved to meet standards without conversion, the assessment of whether the existing building can be described as a good quality HMO is dependent on the views of the Council's Environmental Health Team who manage and licence HMOs in the Borough. Following the site inspection, the Council's Environmental Health Team commented that there are only 3no. habitable rooms within the 4 no. host buildings, and that the existing HMO is not considered to be 'good quality' and did not raise any objections to the proposed change of use.
- 10.10 Whilst it is acknowledged that the applicant could carry out works to improve the standard of accommodation at the host building, this would require extensive works, given the restricted floor to ceiling heights, and the poor outlook and levels of daylight/sunlight at basement level. Given these restrictions together with the advice provided by the Council's Environmental Health Team it is therefore considered that the loss of the existing HMO is acceptable in principle.
- 10.11 Part D of Policy DM3.9 confirms that where the loss of an HMO is acceptable, development should provide accommodation to meet an acute need identified by the council's housing department, which may include social rented housing.
- 10.12 Islington Core Strategy (2011) Policy CS12 seeks to ensure Islington will meet its housing challenge, to provide more high quality, inclusive and affordable homes. Part G of this policy seeks to ensure the increase in the delivery of affordable housing, especially social rented housing, from other sources such as 100% affordable housing schemes by Registered Social Landlords, building affordable homes on the Council's own land, and from a range of intermediate housing products available on the market.
- 10.13 The proposal would result in the creation of 7 no. self-contained residential units, being 3 no. 1-bed flats, 1 no. 2 bed flats, 2 no. 3 bed houses and 1 no. 5 bed house. The seven additional residential units would be affordable, which is welcomed by both Housing and Planning Officers. All of the proposed housing would be socially rented and the overall number of units ensures efficient use of the site in terms of residential accommodation bearing in mind other constraints including the protection of heritage, existing housing stock and reinstatement of housing units.
- 10.14 The proposal, which would be delivered by a Registered Social Landlord, would provide a 100% affordable housing scheme, meeting the Council's objectives identified within Part G of Policy CS12 of the Islington Core Strategy (2011) and addressing an acute housing need for the Council.
- 10.15 Overall, given the Council's Environment Health Team considers that the majority of the host building is inhabitable and cannot be described as a good quality HMO the loss of the existing HMO, which is currently vacant, is considered acceptable. The proposed development would provide accommodation to meet an acute housing need identified by the Council's Housing Department,.
- 10.16 Whilst the acceptability of the proposal, in terms of the housing mix, the standard of accommodation, the design, the amenity impact on neighbouring properties, amongst other material considerations, is assessed later within this report, the proposal is considered to be acceptable in land use terms, and compliant with the relevant policies in the Development Plan.

Design

- 10.17 The National Planning Policy Framework (NPPF) confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development and should contribute positively to making places better for people.
- 10.18 Paragraph 192 of the NPPF (2019) states that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 10.19 Policy CS8 of Islington's Core Strategy sets out the general principles to be followed by new development in the Borough. Policy CS9 and Policy DM2.1 of Islington's Development Management Policies 2013 accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance Islington's built environment. Taken together, they seek to ensure that proposed development responds positively to existing buildings, the streetscape and the wider context, including local architecture and character, surrounding heritage assets, and locally distinctive patterns of development.
- 10.20 Policy DM2.3 states that Islington's historic environment is an irreplaceable resource and the council will ensure that the borough's heritage assets are conserved and enhanced in a manner appropriate to their significance. The proposal is located within Barnsbury Conservation Area, and within the setting of the adjacent Grade II Listed Building (no. 36 Islington Park Street).
- 10.21 In line with Sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the adjacent Grade II listed building and Barnsbury Conservation Area, their setting and any of its features of special architectural or historic interest
- 10.22 The design advice found within the Islington Urban Design Guide 2017 and Barnsbury Conservation Area Design Guidelines as well as the Basement SPD should be taken into consideration of the assessment of the proposal in design terms.

Basement

- 10.23 The proposal includes the lowering of the existing lower ground floor level, as well as the alteration and extension of the existing rear lightwells. Paragraphs 5.164 to 5.168 of the Islington Urban Design Guide (2017) provides advice in relation to lightwells and basement development. The design advice recommends that *the excavation to form lightwells should respect the architectural character of the host building, not unduly impact upon amenity/garden area and its growing potential, and be designed as congruent, compatible and complementary features within the streetscape. If a lightwell is being introduced or modified, the most discreet location will generally be to the rear of the property. Lightwells should be modest in scale and be located immediately next to the rear elevation.* This advice reiterated within paragraphs 7.3.2 to 7.3.5 of the Basement SPD.
- 10.24 The position of the existing rear lightwell is considered to be appropriate and compliant with the above guidance. Whilst the proposed enlargement of these existing lightwells would result in a small portion of the rear gardens being excavated, the majority of the garden would be retained. As such, it would continue to preserve the character of the

existing building, the site curtilage and garden form as well as the character and appearance of the Barnsbury Conservation Area.. The proposed fenestration details at this level are considered to be in keeping with the visual appearance of the rear elevation of the upper floors.

- 10.25 The proposal would also include excavation to allow for the lowering of the existing lower ground/basement level to nos. 38 (25mm lower), 42 (16mm lower) and 44 (30mm lower) Islington Park Street. There would be no change to the existing floor level to no. 40 Islington Park Street. The lowering of the floors is to improve the headroom within the basement spaces and to allow installation of insulation and underground drainage to suit the proposed layouts.
- 10.26 The existing floor to ceiling heights at the property are restricted (no. 38: 2.177m, no. 40: 2.13m, no. 42: 2.264m and no. 44: 2.29m) and the proposed excavation would result in the floor to ceiling heights being increased as follows; no. 38: 2.215m; no. 40: 2.13m; no. 42: 2.28m; and no. 44: 2.320m. The excavation is considered acceptable in design terms subject to its compliance with the Council's Basement SPD in regards to its structural impact.

Front elevation

- 10.27 The proposed alterations to the front elevation include the reinstatement of the front gardens, with associated paving and landscaping, which would have metal railings and gates around their perimeter to allow their subdivision, as well as the installation of replacement railings to the front lightwells.
- 10.28 Paragraphs 5.30 to 5.33 of the Islington Urban Design Guide 2017 provides advice in relation to defining public and private space, noting that boundary walls/railings should be designed in a manner that is consistent with the existing street and should provide an open aspect. Front boundary walls are typically part of the uniform design of the residential frontage, often incorporating dwarf walls and/or low-level railings. and the above ground floor report has confirmed that the proposal would not result in any underpinning of the existing property. Paragraph 5.168 of the UDG confirms that structures such as railings should not create visual clutter or interrupt the prevailing rhythm of the street and should respect the special architectural or historic interest of heritage assets.
- 10.29 The Barnsbury Conservation Area Design Guidelines confirms that the Council wishes to see traditional ironwork kept in the area which is considered to contribute to the character of the area and complements the existing buildings. Noting that traditional railings and walls of front gardens and corner properties are an important part of the street scene. The number of different patterns of railings and other ironwork creates both a fascinating historical record and visual interest, and will encourage owners to maintain and reinstate traditional railings.
- 10.30 Whilst some details have been provided in relation to the design of the proposed railings and gates to both the lightwell and front boundaries and gardens, in order to ensure their historical accuracy, conditions (no. 4 and 18) have been recommended for the details to be submitted prior to their installation. The Design and Conservation Officer has confirmed that this element of the proposal would represent a heritage benefit to the scheme.
- 10.31 The proposal would also replace the existing central opening at ground floor level (within no. 42) to retain the existing pedestrian access to no. 8 Purley Place, to the south of the host building. The existing front door which covers this opening would be

replaced by a metal security gate, which is suggested should be cast iron with a black coated finish which would be more sympathetic to the historic fabric of the building and the character and appearance of the street. This is in addition to replacing the adjacent ground floor and surrounds at this property (at no. 42) as well as the replacement of the existing timber doors at no. 40 (ground floor) and 44 (basement level), the proposal would also include the removal of the existing paintwork to the front elevation.

- 10.32 The proposed central gate is considered to be a visual improvement on the existing access door which is not considered an original feature and is at odds with the appearance of the host building. As with the proposed railings a condition (no. 4) has been recommended to ensure the gates (no. 18) would be an historically appropriate addition in the context of the host building and street level. The Metropolitan Police Secured by Design Officer has welcomed the proposed metal access doors, which is considered to improve the security at the site, subject to appropriate measures which are identified within the Appendix of the submitted Design and Access Statement (Appendix: Secure by Design Notes. A condition (no. 9) has been recommended to ensure these measures are adhered.
- 10.33 The removal of the existing paintwork to the front elevation located at lower ground floor level is considered to be a heritage benefit to the scheme. The replacement of the front doors whilst their removal is acceptability in principle a condition (no. 15) has been recommended for their details to ensure they are historical appropriate.

Rear elevation

- 10.34 The proposal would result in the subdivision of the rear gardens, as well as proposed roof terraces at first and second floor. Whilst the use of the rear gardens as amenity space currently exists, the UDG paragraphs 5.171 to 5.173 provides advice in relation to the proposed roof terraces. When considering the introduction of a roof terrace or balcony, the main considerations should be the scale and visual prominence, the impact on the established townscape and architectural style and the impact on neighbouring properties (overlooking and visual amenity).
- 10.35 The principle of roof terraces to the rear elevation of the upper floors is considered to have been established, with no. 30 Islington Park Street benefitting from an approved roof terrace at second floor (ref. 980165) in April 1998. Therefore the acceptability of these terraces is dependent on their amenity impact, which is discussed later within this report and the design of the proposed balustrades.
- 10.36 As with the boundary treatment between the subdivided gardens, the proposal includes details of the proposed balustrades. Whilst the roof terraces would not visible from the public realm, a condition (no. 4) has been recommended for details of these elements to ensure they are in keeping with the host building and wider conservation area.
- 10.37 The proposal would result in alterations to the rear elevation of the host building in terms of new windows and doors. This includes new, enlarged and repositioned windows and glazed doors at lower ground floor, following the proposed excavation of the rear lightwells, ground floor, including timber doors to access the rear gardens, and first and second floors, including those associated with the roof terrace. The design and position of the proposed fenestration are considered to be acceptable in design terms, and the application has confirmed that the windows would be timber framed double glazed and doors would be timber. A condition (no. 3) has been recommended to confirm this.

- 10.38 The proposal would also include alterations to the materials to the rear roof at second floor level, proposing new clay tile hangings. These are considered to be acceptable in design terms replacing existing similar materials.
- 10.39 Concerns have been raised in representations requesting assurances that the proposal incorporates historically appropriate materials and colours within the development. Notwithstanding the above assessment including the other recommended conditions, a condition has been recommended to ensure the details of the proposed materials and colour of any paintwork are submitted and approved in writing prior to the commencement of any superstructure including pavements.
- 10.40 Overall, it is considered that subject to the recommended conditions, the proposal would be in keeping with the visual appearance and historic character of the area and does not cause any harm to the conservation area, the adjacent listed building or the locally listed building. In line with Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the Barnsbury Conservation Area, its setting and any of its features of special architectural or historic interest, and the setting of the Grade II Listed Building (no. 36 Islington Park Street) and is considered acceptable in design terms.

Structural Impact

- 10.41 Whilst the principle of the lowering of the existing floor levels is acceptable, given the proposal has an existing basement level, in accordance with Appendix B of the Basement SPD (2016), a Structural Method Statement (SMS) has been submitted in support of the application to assess the structural impact of the basement development. This is in addition to a Geotechnical Report titled Ground Investigation dated February 2019, as well as an Opening Up Works and Foundations Report dated January 2019.
- 10.42 The SMS(ref no. 12429 dated 25 July) has been prepared by Andrew Turner of Tully De'Ath consultants, who is a Chartered Structural Engineer (CEng MStructE) and a Conservation Accredited Engineer with the Institutions of Civil and Structural Engineers.
- 10.43 The SMS is considered to have been written in accordance with Appendix B of the Basement SPD, including the bullet points identified within paragraphs 6.6 and 6.7 of the Basement SPD. The consultation process has raised concerns in relation to the impact on the lowering of the existing floor levels of the host buildings on the adjacent property, which is a Grade II Listed Building, particularly in regard to any potential requirement for underpinning.
- 10.44 The submitted SMS report has provided an assessment of the existing site including the host buildings and the adjacent Grade II listed building, no. 36. Pages 15 and 16 of the submitted report provide an explanation of the proposed lowering of the existing basement floor levels, which are proposed to allow for improved headroom within the basement spaces and to allow installation of insulation and underground drainage to suit the proposed layouts.
- 10.45 The report confirms that trial pit investigations have demonstrated the existing foundations are relatively shallow, at between 210mm and 350mm below existing basement level.

- 10.46 As a result, the report considers that any proposals to lower the basement floors by more than these figures would undermine the existing foundations. Such an approach would require underpinning to be carried out not to undermine the existing foundations. As this approach would be highly disruptive and a costly exercise, with a higher likelihood to cause some disturbance to the existing structures, the report has confirmed that this approach, which would require underpinning is not being proposed.
- 10.47 Instead the report concludes that the proposal includes the provision of a new floor finish at a slightly lower level than existing, laid on a new ground bearing floor over a drainage proof membrane and insulation. The approach stops the insulation and new slab short of the existing corbelled footing so that the existing foundations are not disturbed. The report concludes that the strategy for adjusting the basement floor levels will not undermine the existing foundations, and that they should not have any discernible effects on the existing structures or the ground on which the foundation bear. There are also no discernible changes to existing load paths. As such, significant ground movements are not expected to occur and are predicted to not exceed a Category 2 level of damage as defined in CIRIA Report 580 'Embedded Retaining Walls'. The specification for the works needs to be developed so that the contractor fully appreciates the risks of over-excavating and provides the necessary level of control and supervision to these works. Appendix B of the Council's Basement Development SPD (2016) confirms that damage should be limited to a maximum of Category 2 as set out in the Construction Industry Research and Information Association (CIRIA) Report 580 'Embedded Retaining Walls' (or as updated).
- 10.48 The associated Geotechnical Report has confirmed that investigations have been carried out including the drilling of 6 no. exploratory holes (1 no. to 10m, 2 no. to 4m and 3 no. to 6m below ground level) to assess the underlying soil conditions and prove the thickness of the underlying Made Ground. In addition, a total of 3 no. dual purpose gas and groundwater monitoring wells have been constructed to up to 6m below ground level, as well as a collection of soil samples for laboratory testing. The report concludes measures relating to site preparation works, conventional spread foundations, piled foundations, excavations and drainage, to ensure the proposed works at basement level would have an acceptable impact.
- 10.49 The submitted document titled 'Opening Up Works and Foundations' dated January 2019 provides further investigation to enable an assessment of the state of the walls and supporting joists at the site. The works have included the excavation of a total of 9 no. trial pits by hand to a maximum depth of 2.0m below basement level. Excavation was continued until the underside of the foundation was proven. In addition, a total of 11 no. locations were opened up from within the walls. At each location, the plaster was removed in order to expose the underlying brickwork and supporting lintels. Furthermore, a total of 23 no. locations were opened up from the ceilings. At each location, the plasterboards were removed in order to expose the supporting rafters and walls, as well as the wooden or steel beams. The ceilings were made good at BC-1 and BC-2, which underlie the guardian's apartment. A total of 13 no. locations were opened up from the floors. At each location, the overlying carpet, and plywood sheets and floor boards were removed to expose the underlying services, supporting beams and joists as well as their connection to the adjacent walls. The exposed areas were made good by using replacement floorboards or by ply board cut to size. A manhole was open in the basement to access the drainage system connected to the basement toilets.
- 10.50 The submitted information provided in relation to the proposed basement excavation is considered acceptable and in compliance with Appendix B of the Council's Basement Development SPD. The documents have provided detailed information of

explanatory investigation of the existing ground conditions of the host building and measures to ensure the damage would be limited to a maximum of Category 2 as set out in the Construction Industry Research and Information Association (CIRIA) Report 580 'Embedded Retaining Walls' (or as updated), allowed by the SPD.

- 10.51 Notwithstanding the above, whilst none of the host buildings subject to this application are statutory listed buildings (no. 44 Islington Park Street is locally listed), the site is within the setting of the Grade II Listed Building, being the adjacent property to the west, no. 36 Islington Park Street. Therefore, the proposed basement excavation is required to pay special regard to preserving the visual appearance and historic of this heritage asset.
- 10.52 Whilst it is acknowledged that the proposed basement excavation would not be underneath the adjacent listed building, or within its curtilage paragraph 9.12 of the Basement SPD confirms that *the impact of a proposal on nearby listed buildings and terraces will be assessed on the scale of any harm to the listed building and its setting*. Paragraph 9.7 of the SPD is also relevant, which advises that *the lowering of floor levels to existing historic basements can harm the special architectural or historic interest of a listed building by virtue of detrimental impact on the historic fabric, floor hierarchy and plan form*. It also advises that lowering of an historic basement will only be considered where all of the following points are met:
- i. no underpinning is required i.e. development is retained above footings
 - ii. no significant harmful impact to fabric of heritage significance is demonstrated
 - iii. floor to ceiling heights remain sufficiently subservient to principal floor levels
- 10.53 Given that the excavation does not relate to the Grade II Listed Building or alter the floor to ceiling heights of this property, point (iii) is not applicable. In terms of points (i) and (ii), the applicant has confirmed that there would be no underpinning. The applicant has provided drawing no. 12429-S-SK13 showing sections through the proposed lowered floor levels to demonstrate that no underpinning is proposed. Given the information provided and the extent of the basement excavation in relation to the setting of this listed building, the proposed basement element of the proposal is considered acceptable in design terms, and would preserve the visual appearance and historic character of the heritage assets of the setting of the Grade II Listed Building and wider Barnsbury Conservation Area. This is subject to the choice of materials of the lightwells and associated alterations at basement level being appropriately and sensitively chosen to reflect the materials in the host buildings, which would be secured by condition.
- 10.54 In compliance with paragraph 6.10 of the SPD in the event the application was approved a condition has been recommended to ensure the certifying professional endorsing the SMS must be retained (or replaced with a suitably qualified person with relevant experience) throughout the duration of construction, to ensure that the necessary expertise is available to inform decision making throughout the construction process. It is therefore considered that this element of the proposal is considered acceptable in design terms, including its compliance with the Basement SPD (2016).

Neighbouring Amenity

Overlooking and Loss of Privacy

- 10.55 All new development is subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security,

noise and disturbance is also assessed. The proposal is subject to London Plan Policy 7.14 and 7.15 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality. Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing.

- 10.56 Paragraph 2.14 of the Development Management Policies 2013 states that *'there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway; overlooking across a public highway does not constitute an unacceptable loss of privacy.'*
- 10.57 In this instance, the proposed alterations to the existing fenestration details front elevation are not considered to result in any loss of privacy over and above the existing situation, given they face across an existing public highway.
- 10.58 In terms of the alterations to the fenestration to the rear elevation, the proposal would largely retain the existing windows to the host building. The proposal includes alterations to the position and size of some of the existing windows, as well as new windows and doors on this elevation.
- 10.59 Paragraph 2.14 of the Development Management Policies (2013) confirms *to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms.*
- 10.60 In this instance, the separation distance between the rear elevation of no. 38 Islington Park Street and no. 7 Purley Place is 10m. However, the layout of this proposed residential unit would have a bathroom at first floor, and at second floor it would have a single bedroom and a staircore. The Council's planning records show planning permission was granted at no. 7 Purley Place to allow for the change of use of the property to a single dwellinghouse (ref. P032585), along with other external alterations. As part of the approved development at no. 7 Purley Place, a condition was imposed (no. 4) requiring all windows at first and second floor levels to be obscurely glazed and non-openable to a minimum height of 1.7m above the internal finished floor level and maintained thereafter for this neighbouring property. It is considered this would ensure that there would not be any significant overlooking issues from future occupiers.
- 10.61 The separation distance between nos. 40 and 42 Islington Park Street and no. 8 Purley Place is 14.4m. The proposed layout has windows serving bathrooms and bedrooms at first and second floors. In terms of no. 44, due to the shape of the building the lower parts (lower ground to first floor) of the rear elevation are set back in comparison to nos. 38-42. However, at second floor is an 'L-shape' with a setback adjacent to no. 42. The separation distance between no. 8 Purley Place to the south is 12.4m at first floor and below, and between 16.9m and 14.9m at second floor. The proposed windows on the rear elevation at first and second floors serve living rooms, bathrooms and bedrooms.
- 10.62 The existing drawings for the most recent planning application at no. 8 Purley Place (ref. P08193) which was dismissed at appeal shows that the layout had bedrooms and a laundry room at first floor, which is likely to have been retained.
- 10.63 It is acknowledged that the separation distances between the rear elevation windows of the host buildings and those serving the properties along Purley Place, would not meet the recommended 18m separation distance. However, as noted above, the authorised and last known use of the host building is as a large HMO. Therefore,

historically the existing rear elevation includes windows serving habitable rooms, therefore the proposed relationship with neighbouring properties would replicate a pre-existing situation, which had a mutual level of overlooking between the host building and the properties located immediately to the south. It is therefore considered that this situation would be acceptable.

- 10.64 As noted in the design section above, the proposal would result in the creation of roof terraces at first and second floor level. Whilst proposed balustrades have been provided in order to ensure they would not result in any significant privacy issues between residential units or neighbouring properties, a condition (no. 4) has been recommended for further details to be submitted.

Outlook/enclosure and Daylight and Sunlight

- 10.65 The proposed external alterations including the boundary treatment between the subdivided gardens are not considered to result in any significant loss of outlook or enclosure to neighbouring properties, given their position and orientation of the host buildings. A condition (no. 4) has also been recommended in terms of the details to be submitted and approved.
- 10.66 The proposal is therefore considered not to have a detrimental impact, outlook, privacy and overlooking and daylight and sunlight, and would therefore be in compliance with policies DM2.1 of the Development Management Policies 2013 and the guidance set out in the Urban Design Guide 2017 in this regard.

Noise/dust and disruption

- 10.67 It is acknowledged that the proposed excavation at basement and proposed construction works may result in increased noise/dust and disruption during the construction phase of the development. In accordance with the Council's Basement SPD a condition (no. 5) has been recommended for a Construction and Environmental Management Plan to be submitted and approved.
- 10.68 Policy DM3.7 seeks to ensure all residential development proposals shall demonstrate how potential adverse noise impact on and between dwellings will be mitigated by housing layout, design and materials. The Council's Pollution Officer has confirmed that the Building Regulations process would ensure adequate noise mitigation between the proposed residential units thereby mitigating against noise transfer between each of the residential units proposed. The Pollution Control Officer has recommended a condition (no. 8) requiring further details of noise mitigation relating to external sources to be submitted and approved in writing.

Quality of Accommodation

Housing mix

- 10.69 Policy DM3.1 of the Islington Development Management Policies provides that all sites should provide a good mix of housing sizes. Table 3.1 sets out an indicative housing size mix required for each housing tenure. For social rented housing 0% of units should be 1-bed, 20% should be 2-bed, 30% should be 3-bed and 50% should be 4-bed units or more. The proposal provides a mix of 3 no. 1-bed flats (43%), 1 no. 2 bed flats (14.3%), 2 no. 3 bed (29%) houses and 1 no. 5 (14.3%) bed house.
- 10.70 Whilst it is acknowledged that the proposal would not fully comply with the recommended housing mix, paragraph 3.16 of the Development Management Policies

(2013) confirms that where affordable housing schemes are being developed to address short term changes in need/demand as a result of specific interventions (for example, efforts to reduce under-occupation deviation from the required housing size mix may be acceptable.

- 10.71 The most significant deviation is the inclusion of a 5-bedroom house. Specific site constraints are present in this case, inclusive of the standard of accommodation, which is discussed below, floor to ceiling heights and the difficulty in providing circulation space if this property was subdivided.
- 10.72 In addition, the Development Management Policies (2013) recommend that in such cases, the Council needs to be satisfied that the proposed housing size mix will address a specific affordable housing need/demand and result in an overall improvement in the utilisation of affordable housing units in Islington. The Council's Housing Team who manage the Council's Affordable Housing, have confirmed that the proposed unit mix would meet the Council's needs and they consider this housing mix is acceptable.

Quality of residential accommodation

- 10.73 In terms of new residential development, as well as having concern for the external quality in design terms it is vital that new units are of the highest quality internally, being, amongst other things of sufficient size, functional, accessible, private, offering sufficient storage space and also be dual aspect. London Plan (2016) policy 3.5 requires that housing developments should be of the highest quality internally, externally and in relation to their context and the wider environment. Table 3.3 of the London Plan prescribes the minimum space standards for new housing, which is taken directly from the London Housing Design Guide space standards. Islington's Development Management policy DM3.4 also accords with these requirements, with additional requirements for storage space.
- 10.74 A new nationally described space standard (NDSS) was introduced on 25 March 2015 through a written ministerial statement as part of the New National Technical Housing Standards. These new standards came into effect on 1 October 2015.
- 10.75 Policy DM3.4 of the Islington's Local Plan: Development Management Policies (adopted June 2013) sets the context for housing standards for new development. Table 3.2, which supports this Policy and gives the minimum gross internal areas (GIA) that new residential developments would be expected to achieve.
- 10.76 The table below provides a summary of how the proposal meets the minimum floorspace standards:

Table 1: Minimum floor space

No. Bedrooms /Expected Occupancy	Floor Space Provided	Minimum Required
3b/5p house	118 sqm	102 sqm
3b/5p house	112 sqm	102 sqm
5b/7p house	152 sqm	125 sqm
2b/3p flat	63 sqm	61 sqm

1b/2p flat	59 sqm	50 sqm
1b/2p flat	51 sqm	50 sqm
1b/2p flat	55 sqm	50 sqm

- 10.77 The proposed dwellings would all comply with the space standards in both the size of the units and the size of bedrooms, additionally, the living spaces including kitchen, dining and living space comply with the requirements of Policy DM3.4 of the Islington's Local Plan: Development Management Policies (adopted June 2013) and the London Plan (2016) Policy 3.5 providing a good level of floorspace for each unit. Units would provide a good level of storage.
- 10.78 Dual aspect flats must be provided in all situations in accordance with policy CS9F of the Core Strategy 2011, and policy DM3.4D of the Development Management Policies 2013, unless exceptional circumstances can be demonstrated. Policy DM3.4E also stipulates that all living areas, kitchens and dining spaces should preferably receive direct sunlight. The proposal would result in dual aspect to all units with the proposed units having windows to both the front and rear elevations. It is considered that all of the proposed dwellings would satisfy the requirements for dual aspect.
- 10.79 Officers acknowledge that one of the front elevation windows at lower ground floor (within no. 44), is restricted in terms of the outlook, due to the position and the restricted size of the front lightwell. Whilst the enlargement of the front lightwells were explored by the applicant to improve outlook, this would be unacceptable in design terms and its impact on the wider conservation area. As a result the proposal has improved the outlook to the rear of both this unit, and the basement level to the other dwellings, by the enlargement of the existing rear lightwells. Given the size of the rear lightwell, associated with the lower ground floor flat and that the rear elevation of the host buildings are south facing, means that it would receive direct daylight/sunlight and the restricted outlook would be largely mitigated. Officers do note that the lower ground open plan living spaces for each flat are dual aspect with larger windows/French doors also orientated to the south along the rear elevation thereby increasing the light serving these rooms. The accompanying Daylight Report also provides calculations on the level of light serving each room.
- 10.80 The report titled 'Internal Daylight Report' dated 1st July 2019 by eb7 Ltd was submitted and outlines the results of internal daylight calculations to support the planning application. It outlines the results of the internal daylight calculations undertaken for all the habitable rooms of the proposed scheme. The assessment has been undertaken in line with the guidance available in Building Research Establishment Report 'Site layout planning for daylight and sunlight - A guide to good practice' (2011) and British Standard BS 8206-02 'Lighting for buildings – Part 2: Code of practice for daylighting' (2008).
- 10.81 The report confirms that the Average Daylight Factor (ADF) is used as the measure of general illumination from skylight. The average daylight factor is the ratio of total daylight flux incident on a reference area to the total area of the reference plane, expressed as a percentage of outdoor illuminance on a horizontal plane due to an unobstructed hemisphere of sky of assumed or known luminance distribution. The assessment has been carried out only for the habitable rooms where occupants have a reasonable expectation of daylight. As the BRE guide states that 'The guidelines given here are intended for use in adjoining dwellings where daylight is required,

including living rooms, kitchens and bedrooms. Windows to bathrooms, toilets, storerooms, circulation areas and garages need not be analysed.' The assessment was carried out under an overcast sky condition to ascertain the daylight availability within the rooms in worst scenario when the outside illumination is minimum. In London the outside illuminance level in such scenario is approximately 4000lux.

10.82 In addition to the BRE guide, the British Standard BS 8206-02 'Lighting for buildings – Part 2: Code of practice for daylighting' (2008) has also been used to identify the minimum daylighting requirements in a dwelling. These are as following:

- 1% in bedrooms
- 2% in kitchens, and
- 1.5% in living rooms

10.83 The guidance confirms that where rooms are used for more than one function, the higher value of ADF must be met. Therefore, for a living/kitchen or studio apartment the minimum daylighting required is 2%.

10.84 As shown in the table below, the proposal would meet and exceed the required ADF requirements in terms of providing adequate levels of daylight/sunlight to all habitable rooms at ground and lower ground floor level:

Table 2: Annual Daylight Factor (ADF) results of proposed habitable rooms

Building No.	Room Use	ADF achieved (%)	ADF required (%)
38 (3b/5p)	Dining Room (R3) (lower ground)	1.9	1.5
	Kitchen (R1) (lower ground)	2.7	2.0
	Living (R2) (ground)	1.9	1.5
40 (3b/5p)	Dining Room (R5) (lower ground)	1.9	1.5
	Kitchen (R4) (lower ground)	2.0	2.0
	Living Room (R5) (ground)	1.9	1.5
42 (5b/7p)	Dining Room (R7) (lower ground)	2.0	1.5
	Kitchen (R6) (lower ground)	2.0	2.0
	Living Room (R8) (ground)	3.4	1.5
44 (lower ground) (1/2p)	Living/Kitchen/Diner (R8)	2.2	2.0
	Bedroom (R10)	1.6	1.0
44 (ground) (2b/3p)	Living Room (R12)	2.3	1.5
	Kitchen (R9)	3.4	2.0
	Bedroom (R10)	2.1	1.0

	Bedroom (R11)	3.5	1.0
--	---------------	-----	-----

- 10.85 The ADF assessment has shown that provision of daylight within the proposal would result in 100% of habitable rooms tested to meet and exceed the BRE targets. Overall, the results show excellent levels of internal amenity, exceeding the relevant targets. The individual ADF results will only further improve on the upper floors of the properties. The scheme is therefore considered to fully accord with the BRE guidance in regards to ADF levels.
- 10.86 The London Plan states that a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged. The Development Management Policies go further than this, advising that ceiling heights of at least 2.6m provide a greater sense of space and help keep rooms cool in summer months. All of the units would achieve at least 2.5m ceiling height in accordance with the London Plan. In addition, the nationally described space standard sets a minimum ceiling height of 2.3 metres for at least 75% of the gross internal area of the dwelling.
- 10.87 It is acknowledged that none of the units would achieve the Development Management Policies requirements in terms of providing 2.6m floor to ceiling heights. However, in terms of the larger (2 no. 3-bed and 1 no. 5-bed) units, found at nos. 38, 40 and 42, future occupiers would benefit from floor to ceiling heights between 2.3m to 2.5m at ground, first and second floor levels for the main living and bedroom accommodation. It is acknowledged that the basement level to these dwellings would have restricted floor to ceiling heights, being between 2.21m (no. 38), 2.13m (no. 40) and 2.28m (no. 42). However, as discussed in the structural impact assessment earlier in this report, the host buildings have shallow foundations, meaning that further excavation may not be possible. It should be noted that proposed residential units within nos. 38, 40 and 42 benefit from three further floors above. Policy DM3.4C(ii) also confirms that *in residential conversions, including extensions, where the original ceiling height is maintained, a lower ceiling height may be acceptable where it can be demonstrated that overall a good standard of daylight, ventilation and useable floorspace can be provided.* Given the above it is considered that lack of full compliance is considered acceptable.
- 10.88 In terms of the remaining 4 no. flats found at no. 44, all of the units would meet the national described space standards, with both the lower ground floor and second floor flats having 2.3m high floor to ceiling heights. The two remaining flats, whilst not meeting the Council's requirements would have floor to ceiling heights throughout the units at 2.4m (ground) and 2.5m (first floor), which are considered to be acceptable, the first floor flat meeting the London Plan.
- 10.89 The restricted floor to ceiling heights within the proposed units throughout the host building, whilst not ideal, is considered to be acceptable, on balance, given the acceptable standard of accommodation generally, in regards to dual aspect, levels of daylight/sunlight of outlook, the orientation of the property, and that the size of the units.
- 10.90 The Metropolitan Police Secured by Design Officer has considered that the proposal would meet Secured by Design Principles, providing the measures identified within the document within the Design and Access Statement titled Appendix: Secure by Design Notes are implemented in full, and a condition has been recommended in this regard.

- 10.91 Policy DM3.5 identifies that 'all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof terraces and/or glazed ventilated winter gardens'. In order to address this policy the proposal has included the subdivision of the front and rear gardens and the creation of roof terraces at first and second floor, as well the enlargement of an existing rear lightwell.
- 10.92 The proposal would result in private amenity space for all of the proposed units. The 3 no. houses would benefit from the front and rear gardens (no. 38:61 sqm; no. 40:58 sqm and no. 42:71 sqm). The 4 no. flats within no. 44 would benefit from dedicated private amenity space for each flat with the enlargement of the existing rear lightwell (lower ground flat: 23 sqm), the rear garden (ground floor flat: 39 sqm), and roof terraces at first (22 sqm), and second floors (8 sqm). In addition, located to the front of no. 44, there is a further area (50 sqm) of shared amenity space.
- 10.93 The provision of private and shared amenity space is considered to meet and in some cases exceed the minimum requirements of private amenity space and is therefore, considered acceptable and in compliance with Policy DM3.5.
- 10.94 For the above reasons, it is concluded that the proposed residential element of the development provides acceptable living conditions for future occupants in terms of the standard of accommodation and amenity space. Therefore, the proposal accords with policy 3.5 of the London Plan 2016, policies CS8, CS9 and CS12 of the Islington Core Strategy 2011 and policies DM2.1, DM3.4 and DM3.5 of the Islington Development Management Policies 2013 and the National Space Standard 2015.

Accessibility

- 10.95 As a result of the change introduced by the Deregulation Bill (Royal Assent 26th March 2015) Islington is no longer able to insist that developers meet its own SPD standards for accessible housing, therefore we can no longer apply our flexible housing standards nor wheelchair housing standards.
- 10.96 On 1st October 2015, a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, to be enforced by an Approved Inspector. Residential development containing fewer than 10 units should be designed so that all dwellings meet Category 2 of the National Housing Standards. A written statement explaining how each of the units meets the requisite standard should be provided with the application (this can be contained within the Planning Statement). Plans should indicate notional furniture layouts.
- 10.97 Policies 3.5 and 7.2 of the London Plan require all new development to achieve the highest standards of accessible and inclusive design and meet the changing needs of Londoners over their lifetimes. These aims are reflected in Policy DM2.2 of the Islington Development Management Policies, which requires developments to demonstrate, *inter alia*, that they produce places and spaces that are convenient and enjoyable to use for everyone.
- 10.98 The Council's Inclusive Design Officer has raised concerns in relation to the access to the proposed units, particularly the lack of ramps from street level (to nos. 38,42 and 44), and the adaptability of the dwellings, including the lack through floor lifts. However, they have welcomed the provision of an accessible WC at ground floor level and welcomed the approach at no. 40.

- 10.99 The proposal relates to the conversion of existing properties with limited structural interventions to the upper floors and the existing entrances are stepped. It is therefore considered that in this case, the lack of provision of fully accessible units is acceptable, on balance.

Landscaping, Trees and Biodiversity

- 10.100 Policy DM6.5 seeks to ensure developments protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting connectivity between habitats. Developments are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits
- 10.101 The proposal would result in the subdivision and landscaping of the front and rear gardens. Whilst limited information has been provided in this regard a condition (no. 13) has been recommended to provide details of the proposed landscaping, prior to the occupation of the proposed units.
- 10.102 Part B of Policy DM6.5 seeks to ensure trees, shrubs and other vegetation of landscape and/or environmental significance must be considered holistically as part of the landscape plan. It advises that developments are required to minimise any impacts on trees, shrubs and other significant vegetation. Any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits, must be agreed with the council and suitably reprovided. It also recommends that the council will refuse permission or consent for the removal of protected trees (TPO trees, and trees within a conservation area) and for proposals that would have a detrimental impact on the health of protected trees.
- 10.103 In this instance, there are a number of trees within the application site which are protected due to their location within the Barnsbury Conservation Area. An Arboricultural Impact Assessment and Preliminary Arboricultural Impact Assessment dated March 2020 and prepared by Middlemarch Environmental have been submitted. The Council's Tree Officer has reviewed the submitted documentation and confirmed that he is satisfied with the level of assessment, confirming that the trees potentially affected are of low amenity value and not worthy of TPO protection and the proposed single tree removal is acceptable. A Tree Protection Plan is secured via condition (no. 16) in order to protect the retained and neighbouring trees from construction activities. It is therefore considered acceptable in this regard, subject to this recommended condition.

Highways and refuse facilities

- 10.104 Islington policy identifies that all new development shall be car free. Policy DM8.5 stipulates that no provision for vehicle parking or waiting will be allowed for new homes, except for essential drop-off and wheelchair accessible parking. The proposal does not include the provision of off-street car parking.
- 10.105 Car free development means no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people. This is to be secured via a s106.
- 10.106 The provision of secure, sheltered and appropriately located cycle parking facilities will be expected in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines' and Policy DM8.4 and Appendix 6 of the

Development Management Policies 2013. In accordance with Appendix 6, 16 bicycle spaces should be provided for the 16 bedrooms proposed. The development has identified areas to the rear gardens for dedicated cycle storage. Whilst these arrangements are considered acceptable in principle and these shall be provided subject to a pre-commencement condition for details of the cycle storage. The proposal is considered to accord with policy DM8.4 and Appendix 6 of the Development Management Policies 2013 and the Cycle Parking Standards – TfL Proposed Guidance

- 10.107 Paragraph 5.2 of the Islington Street Environment Services 'Recycling and Refuse Storage Requirements' provides advice in relation to acceptable refuse and recycling provision for new residential units. The proposed refuse areas have been shown on the plans as being located within the rear gardens. When taking into consideration that the refuse area would be located not to be visible from the street, the proposed refuse storage requirements are acceptable and would cause no harm to the character or appearance of the host building. Whilst the arrangements are acceptable in principle, further details including plans and sections are required to be provided via condition (no. 6). The Council's Street Environment Services Team have enquired in terms of the management of the communal refuse facilities in terms of who would be responsible to move the refuse and recycling on collection days. These details would be secured by condition.

Sustainability and Ecology

- 10.108 Policy DM7.1 provides advice in relation to sustainable design and construction, stating 'Development proposals are required to integrate best practice sustainable design standards (as set out in the Environmental Design SPD), during design, construction and operation of the development'.
- 10.109 Whilst limited information has been provided in relation to how the proposal meets the Council's sustainable design policies a condition (no. 10) has been recommended requiring the submission of a Sustainable Design and Construction Statement.
- 10.110 In light of comments received from the Islington Swifts Society, it is recommended that a pre-commencement condition (no. 17) be included to ensure bat and bird boxes are implemented based on information on the most suitable locations in accordance with the Council's biodiversity objectives.

Affordable Housing

- 10.111 As noted in paragraphs 3.3.15 of the Islington Core Strategy (2011) confirms the given the level of need in the borough, the council wishes to deliver as many affordable homes as possible. Islington's Core Strategy Policy CS 12 - Meeting the housing challenge – states in part G that to provide affordable housing 50% of additional housing to be built in the Borough over the plan period should be affordable. This policy seeks to increase the delivery of affordable housing, especially social rented housing, from 100% affordable housing schemes by Registered Social Landlords, and from a range of intermediate housing products available on the market.
- 10.112 The proposal would provide seven self-contained residential units, all of which would be secured as social rented units. The applicant has confirmed that four of these units, being those within no. 44 Islington Park Street, would be 'Move-on' accommodation. 'Move-on' accommodation is a Greater London Authority (GLA) grant funding scheme that contributes towards the capital costs of developing

accommodation for people leaving homelessness hostels. The aim of the GLA scheme is to provide self-contained affordable accommodation and to assist the occupiers to move on to independent accommodation within two years, where appropriate.

- 10.113 For the life of the GLA 'Move-on' scheme, referrals to the four relevant units would be via the GLA. However, should the 'Move-on' scheme cease to operate, the nomination rights for the four residential units would revert back to the Council in accordance with the Local Lettings policy. This would be secured through a legal agreement.
- 10.114 The three units not identified as 'Move-on' units would all be allocated through the Council's Local Lettings policy and this would be secured through a legal agreement.
- 10.115 The Council's Housing Team have confirmed that the proposal, inclusive of the 'Move-on' accommodation would meet policy aims of delivering 100% affordable housing. It is therefore considered that the proposal would be acceptable in this regard. The affordable housing would be secured as part of a legal agreement.

Community Infrastructure Levy

- 10.116 The Community Infrastructure Levy will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014. The payments would be chargeable on implementation of the private housing.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The principle of the loss of the existing vacant HMO is considered to be acceptable in land use terms. This is following consultation with the Council's Environmental Health Team, who manage and licence HMOs within the Borough, assessing the existing accommodation not to be of 'good quality' and subject to the proposal meeting an acute need identified by the Council's Housing Team. This acute need is considered to be the delivery of 7 no. self-contained social rented residential units. The delivery of a 100% affordable scheme is considered to be one of the Council's key objectives in terms of the delivery of housing, identified in Part G of Policy CS12 of Islington Core Strategy Policies (2011), and is therefore considered to be acceptable in land use terms.
- 11.2 The proposal, subject to detailed conditions in relation to the materials, is not considered to cause any harm to the visual appearance and historic character of the host buildings, wider estate (including the adjacent listed building) and the Barnsbury Conservation Area, and is considered acceptable in design terms.
- 11.3 The proposed affordable housing units, are considered to provide an acceptable standard of accommodation, meeting and exceeding the minimum requirements in terms of Annual Daylight Factor, having dual aspect, good levels outlook and exceeding the minimum floorspace standards.
- 11.4 Conditions have been recommended to mitigate the impact of the development on the amenity of the occupiers of the existing residential units in the surrounding area, the trees within surrounding area, and to the surrounding public highway network,

including a legal agreement to restrict future occupiers from obtaining car parking permits.

- 11.5 Overall, subject to conditions, the proposal is considered to accord with the relevant policies found within the Development Plan and is recommended for approval.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service:

- Requiring the 7 no. units to be for social rented housing, including the requirement for the nomination rights for the 'Move-on' units to return to Islington, in accordance with Local Lettings policy should the GLA funding cease
- Restrict future occupiers from obtaining car parking permits
- The repair and re-instatement of the footways and highways adjoining the development. Conditions surveys may be required. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways.

ALTERNATIVELY, should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

That the grant of planning permission be subject to conditions to secure the following:

1	Commencement
	CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission. REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).
2	Approved plans list
	CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans: Existing drawings: 202/PL02/Rev.P1 (Site Block Plan), 202/PL03/Rev.P1 (Lower Ground Floor), 202/PL04/Rev.P1 (Ground Floor), 202/PL05/Rev.P1 (First Floor), 202/PL06/Rev.P1 (Second Floor), 202/PL07/Rev.P1 (Roof Plan), 202/PL08/Rev.P1 (Front Elevation), 202/PL09/Rev.P1 (Rear Elevation),

	<p>Proposed drawings: 202/PL01/Rev.P1 (Site Location Plan), 202/PL10/Rev.P1 (Site Block Plan), 202/PL11/Rev.P1 (Lower Ground Floor), 202/PL12/Rev.P1 (Ground Floor), 202/PL13/Rev.P1 (First Floor), 202/PL14/Rev.P1 (Second Floor), 202/PL15/Rev.P1 (Roof Plan), 202/PL16/Rev.P1 (Front Elevation), 202/PL17/Rev.P1 (Rear Elevation), 202/PL18/Rev.P1 (Section),</p> <p>Reports: Town Planning Statement dated July 2019, Design & Access Statement ref. 202_DAS_V4_190730 dated July 2019, Design & Access Statement Supplement: Railings including drawing no. 202/PL19/Rev.D1, Statement of Community Involvement July 2019 - One Housing Group, Structural Method Statement ref.12429 dated 25 July 2019, Factual Report – Opening Up Works and Foundation Pits by Site Remedial Services Limited ref. SRS/18/1389 RPT 1 dated January 2019, Geotechnical Report – Ground Investigations by Site Remedial Services Limited ref. SRS/19/1393/RPT 3 by February 2019, Preliminary Risk Assessment by Site Remedial Services Limited ref. SRS/19/1393 RPT1 dated January 2019, Associated drawings (12429-S-SK30B - General Notes, 12429-S-SK06A - Existing Ground Floor Plan, 12429-S-SK07A - Existing 1st Floor Plan, 12429-S-SK08A - Existing 2nd Floor Plan, 12429-S-SK10 - Existing Roof Plan, 12429-S-SK13 - Slab Lowering, 12429-S-SK09-A - SI Locations Plan, 12429-S-SK1 - Basement Opening Up Plan, 12429-S-SK2 - Ground Floor Opening Up Plan, 12429-S-SK3 - 1st Floor Opening Up Plan, 12429-S-SK31A - Proposed Roof Plan, 12429-S-SK32A - Proposed 2nd Floor Plan, 12429-S-SK33A – Proposed 1st Floor Plan, 12429-S-SK34A - Proposed Ground Floor Plan, 12429-S-SK35A - Proposed Lower Ground Floor Plan, 12429-S-SK4 - 2nd Floor Opening Up Plan, 21695se-01, 21695se-02, 12429-S-SK05A - Existing Lower Ground Floor Plan, 12429-S-SK13 - Slab Lowering Constraints-No Underpinning), Arboricultural Method Statement by Middlemarch Environmental Report No: RT-MME- 152224-02 REV A dated March 2020, Preliminary Arboricultural Impact Assessment by Middlemarch Environmental Report No: RT-MME-152224-01 REV A dated March 2020, REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials (Details)</p>
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Roof materials b) Paintwork (including colour) c) window and door treatment (including sections and reveals); d) pavements (including details to retain the granite sets) e) any other materials to be used. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter into perpetuity.</p>

	<p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard and preserves the character and appearance of the Newington Green Conservation Area.</p>
4	<p>Details of balustrades/boundaries</p>
	<p>CONDITION: Notwithstanding the details shown within the hereby approved drawings, further details of the balustrades/boundaries to front and rear gardens, and to the second floor roof terrace, shall be submitted and approved in writing prior to the relevant part of the development commences.</p> <p>The balustrading and boundary treatment to the front shall match the neighbouring properties in terms design, materials, colour and detailing.</p> <p>The approved details shall be implemented in full prior to the first occupation of the hereby approved development and retained thereafter into perpetuity.</p> <p>REASON: To protect the amenity of neighbouring properties and future occupiers and ensure they are in keeping with the visual appearance and historic character of the surrounding area.</p>
5	<p>Construction and Environmental Management Plan</p>
	<p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The CEMP shall include details and arrangements regarding:</p> <ul style="list-style-type: none"> a) The notification of neighbours with regard to specific works; b) Advance notification of any access way, pavement, or road closures; c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period; d) Details regarding the planned demolition and construction vehicle routes and access to the site; e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance; f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works; g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.) h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting; i) Details of measures taken to prevent noise disturbance to surrounding residents;

	<p>j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;</p> <p>k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)</p> <p>l) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic at all times, including emergency service vehicles;</p> <p>m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and</p> <p>n) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area.</p> <p>o) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.</p> <p>The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on the surrounding roads, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads.</p> <p>The demolition and development shall thereafter be carried out in accordance with the approved details and measures.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
6	<p>Refuse/Recycling</p>
	<p>CONDITION: Details of refuse / recycling storage and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.</p> <p>The refuse / recycling storage and collection arrangements shall explain how refuse is moved during collection days and ensure that storage bins do not obstruct the public highway. The dedicated refuse / recycling enclosure(s) approved shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
7	<p>Cycle parking</p>
	<p>CYCLE PARKING PROVISION (DETAILS): Details of the layout, design and appearance (shown in context) of the bicycle storage area(s) for the site shall be</p>

	<p>submitted to and approved in writing by the Local Planning Authority prior to occupation of the residential units approved under this consent. The storage area(s) shall be secure cycle spaces for the proposed residential units hereby approved.</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
8	Details of noise mitigation
	<p>CONDITION: A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets:</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB $L_{Aeq, 8 \text{ hour}}$ and 45 dB $L_{max} \text{ (fast)}$ Living Rooms (07.00-23.00 hrs) 35 dB $L_{Aeq, 16 \text{ hour}}$ Dining rooms (07.00 –23.00 hrs) 40 dB $L_{Aeq, 16 \text{ hour}}$</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter into perpetuity and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To protect the amenity of neighbouring properties and future occupiers.</p>
9	Secured by Design
	<p>CONDITION: The security measures identified with the document titled Appendix: Secure by Design Notes (found within the approved Design and Access Statement dated July 2019) shall be implemented in full prior to the first occupation of the hereby approved development and retained thereafter into perpetuity, unless otherwise agreed with the Local Planning Authority.</p> <p>REASON: In the interests of safety and security.</p>
10	Sustainable Design Statement
	<p>CONDITION: Prior to the commencement of the approved development details of a Sustainable Design and Construction Statement shall be submitted and approved in writing by the Local Planning Authority. The approved document shall be implemented in full prior to the first occupation of the approved residential units and retained thereafter into perpetuity.</p> <p>REASON: To ensure a sustainable development</p>
11	Water efficiency requirements

	<p>CONDITION: Prior to the occupation of the hereby approved development, details shall be submitted and approved in writing, demonstrating compliance with the water efficiency requirements of Part G of Policy 7.4 of Development Management Policies (2013) and Environmental Design SPD. The approved measures shall be implemented in full and retained thereafter.</p> <p>REASON: To ensure the water efficiency of the development.</p>
12	Carbon efficiency
	<p>CONDITION: The development hereby permitted shall be constructed to achieve a 19% reduction in regulated CO2 emissions, compared to compliance with the Building Regulations 2015 and an on-site reduction in regulated CO2 emissions of at least 25% in comparison with regulated emissions from a building which complies with <i>Building Regulations Part L 2010</i> (equivalent to Code for Sustainable Homes level 4), unless such provision is not feasible.</p> <p>REASON: In the interest of securing sustainable development.</p>
13	Landscaping
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <p>a) soft plantings: including grass and turf areas, trees, shrub and herbaceous areas;</p> <p>b) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</p> <p>c) hard landscaping; and</p> <p>d) any other landscaping feature(s) forming part of the scheme.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping shall have a two-year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
14	Retention of Engineer
	<p>CONDITION: For the hereby approved development the certifying professional endorsing the hereby approved Structural Method Statement must be retained (or replaced with a suitably qualified person with relevant experience) throughout the duration of construction, to ensure that the necessary expertise is available to inform decision making throughout the construction process.</p> <p>REASON: To protect the structural integrity of the host and adjacent buildings</p>

15	Removal of paintwork
	<p>CONDITION: Prior to the occupation of the hereby approved development the existing paintwork found on the front elevation of the host building shall be removed.</p> <p>REASON: To preserve the visual appearance and historic character of the host building and wider conservation area.</p>
16	Tree Protection measures
	<p>CONDITION: Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Specific issues to be dealt with in the TPP and AMS:</p> <ol style="list-style-type: none"> a. Location and installation of services/ utilities/ drainage. b. Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees. c. Details of construction within the RPA or that may impact on the retained trees. d. a full specification for the installation of boundary treatment works. e. a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them. f. Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses. g. A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing. h. a specification for scaffolding and ground protection within tree protection zones. i. Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area. j. details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires

	<p>k. Boundary treatments within the RPA</p> <p>l. Methodology and detailed assessment of root pruning</p> <p>m. Reporting of inspection and supervision</p> <p>n. Methods to improve the rooting environment for retained and proposed trees and landscaping</p> <p>o. Veteran and ancient tree protection and management</p> <p>The development thereafter shall be implemented in strict accordance with the approved details.</p> <p>REASON: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and wider area.</p>
17	Bird boxes
	<p>CONDITION: Prior to the first occupation of the hereby approved development a minimum of 2 no. bird nesting boxes shall be installed and retained thereafter into perpetuity.</p> <p>REASON: To encourage biodiversity</p>
18	Details of access gates
	<p>CONDITION: Notwithstanding the details shown within the hereby approved drawings, further details of the gates allowing access to the rear of the site and no. 8 Purley Place from Islington Park Street shall be submitted to and approved in writing prior to the relevant part of the development commences.</p> <p>The gates shall match the neighbouring properties in terms design, materials, colour and detailing.</p> <p>The approved details shall be implemented in full prior to the first occupation of the hereby approved development and retained thereafter into perpetuity.</p> <p>REASON: To protect the amenity of neighbouring properties and future occupiers and ensure they are in keeping with the visual appearance and historic character of the surrounding area.</p>

List of Informatives:

1	Construction works
	<p>Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222</p>

	Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
2	Highways Requirements
	<p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. <u>All agreements relating to the above need to be in place prior to works commencing.</u></p> <p>Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets." Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. <u>Section 50 license must be agreed prior to any works commencing.</u></p> <p>Compliance with section 140A of the Highways Act, 1980 – "Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk.</p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – "Recovery by highways authorities etc. of certain expenses incurred in maintaining highways". Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk.</p> <p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk.</p>
	<p>SECTION 106 AGREEMENT You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
	<p>TREE PROTECTION MEASURES For condition 16, the following British Standards should be referred to:</p> <ul style="list-style-type: none"> a. BS: 3998:2010 Tree work – Recommendations b. BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations

APPENDIX 2: RELEVANT DEVELOPMENT PLAN POLICIES AND GUIDANCE

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1. National and Regional Guidance

The National Planning Policy Framework 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

- NPPF (2019)

2. Development Plan

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 - Spatial Development Strategy for Greater London

Policy 3.3 Increasing Housing Supply
Policy 3.4 Optimising Housing Potential
Policy 3.5 Quality & Design of Housing Developments
Policy 3.8 Housing choice
Policy 3.12 Negotiating affordable housing
Policy 3.14 Existing housing
Policy 4.3 Mixed use development and offices
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.9 Overheating and cooling
Policy 6.7 Better streets and surface transport
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking
Policy 7.1 Lifetime neighbourhoods
Policy 7.2 An inclusive environment
Policy 7.4 Local Character
Policy 7.6 Architecture
Policy 7.8 Heritage Assets and Archaeology

B) Islington Core Strategy 2011

Policy CS8 Enhancing Islington's character
Policy CS9 Protecting and enhancing Islington's built and historic environment
Policy CS10 Sustainable design
Policy CS11 Waste
Policy CS12 Meeting the Housing Challenge
Policy CS18 Delivery and infrastructure

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage

Housing

DM3.1 Mix of housing sizes
DM3.3 Residential conversions and extensions
DM3.4 Housing standards
DM3.5 Private outdoor space
DM3.7 Noise and vibration (residential uses)

Health and Open Space

DM6.3 Protecting open space
DM6.5 Landscaping, trees and biodiversity

Energy and Environmental Standards

DM7.1 Sustainable Design and Construction
DM7.2 Energy efficiency and carbon reduction in minor schemes

Transport

DM8.4 Walking and Cycling
DM8.5 Vehicle Parking

3. Designations

The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:

4. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

<u>London Plan</u>	Accessible London (2016) Character and Context (2014) Housing (2016) Sustainable Design and Construction (2014) Town Centres (2014)
<u>Islington</u>	Conservation Area Design Guidelines (Canonbury Conservation Area; 2002) Basement Development (2016) Environmental Design (2012)

Inclusive Design in Islington (2014)

Islington Urban Design Guide (2017)